

FEDERAL REGISTER



VOLUME 10

NUMBER 179

Washington, Wednesday, September 12, 1945

The President

PROCLAMATION 2662

REMOVAL OF ALIEN ENEMIES

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS section 4067 of the Revised Statutes of the United States (50 U.S.C. 21) makes provision relative to the restraint and removal from the United States of alien enemies in the interest of the public safety;

WHEREAS the Congress by joint resolutions approved by the President on December 8 and 11, 1941, and June 5, 1942, declared the existence of a state of war between the United States on the one hand and Japan, Germany, Italy, Bulgaria, Hungary, and Rumania on the other hand;

WHEREAS in accordance with Resolution XVII of the Conference of Foreign Ministers at Rio de Janeiro adopted on January 28, 1942, and subsequently by undertakings based upon Resolution XX of the Emergency Advisory Committee for Political Defense adopted at Montevideo on May 21, 1943, there has been assumed by the Government of the United States responsibility for the restraint and repatriation of certain dangerous alien enemies sent to the United States from other of the American republics in the interest of the security of the Western Hemisphere;

WHEREAS by Resolution VII of the Inter-American Conference on Problems of War and Peace adopted at Mexico City on March 8, 1945, the American republics recommended the adoption of measures to prevent any person whose deportation was deemed necessary for reasons of security of the continent from further residing in this hemisphere, if such residence would be prejudicial to the future security or welfare of the Americas;

WHEREAS I find it necessary in the light of the commitments of the Government and in the interest of national defense and public safety to prescribe regulations additional and supplemental to all other regulations affecting the restraint and removal of alien enemies

in order to cover the case of the persons above referred to:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution of the United States and the aforesaid section of the Revised Statutes of the United States, do hereby prescribe and proclaim the following regulations, additional and supplemental to all other regulations affecting the restraint and removal of alien enemies:

All alien enemies now within the continental limits of the United States (1) who were sent here from other American republics for restraint and repatriation pursuant to international commitments of the United States Government and for the security of the United States and its associated powers and (2) who are within the territory of the United States without admission under the immigration laws are, if their continued residence in the Western Hemisphere is deemed by the Secretary of State prejudicial to the future security or welfare of the Americas as prescribed in Resolution VII of the Inter-American Conference on Problems of War and Peace, subject upon the order of the Secretary of State to removal to destinations outside the limits of the Western Hemisphere in territory of the enemy governments to which or to the principles of which they have adhered. The Department of Justice and all other appropriate agencies of the United States Government are directed to render assistance to the Secretary of State in the prompt effectuation of such orders of removal.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 8th day of September in the year of our Lord nineteen hundred and [SEAL] forty-five and of the Independence of the United States of America the one hundred and seventieth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 45-16957; Filed, Sept. 11, 1945; 12:30 p. m.]

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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EXECUTIVE ORDER 9611

REESTABLISHING THE ADVISORY BOARD ON JUST COMPENSATION

WHEREAS by Executive Order 9387 of October 15, 1943, the Advisory Board on Just Compensation (hereinafter referred to as the Board) was established in order, among other things, to establish fair and equitable standards, rules, and formulae of general applicability for the guidance of the War Shipping Administration in determining the just compensation to be paid for all vessels requisitioned, purchased, chartered, or insured by the Administration; and

WHEREAS the members of the Board were authorized to serve for a period of three months or for such shorter period of time as might be required for the completion of its functions; and

WHEREAS in completion of its functions, the Board by its report on December 7, 1943, to the Administrator, War Shipping Administration, established such fair and equitable standards, rules, and formulae of general applicability; and

WHEREAS certain specific problems have arisen in determining just com-

pensation to be paid for vessels requisitioned pursuant to the act of June 6, 1941, 55 Stat. 242:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes, and particularly by the First War Powers Act, 1941, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. The Board established by the said Executive Order 9387 is hereby re-established to serve for a period of sixty days, or for such shorter period of time as may be required for the completion of its functions, for the limited purpose of establishing fair and equitable standards, rules, and formulae of general applicability for the guidance of the War Shipping Administration in determining the just compensation to be paid for all vessels requisitioned pursuant to the act of June 6, 1941, 55 Stat. 242.

2. The Board, as hereby re-established, shall consist of the following members: Judge John J. Parker, Judge Joseph C. Hutcheson, Jr., and Justice Irwin Untermyer.

3. The Board, as re-established, shall have all the power and authority conferred upon it by Executive Order 9387, and the War Shipping Administration shall furnish assistance to, and shall be guided by, the determination of the Board to the extent provided by the said Executive order.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 10, 1945.

[F. R. Doc. 45-16879; Filed, Sept. 10, 1945; 4:43 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

RESTORATION AFTER RETURN FROM MILITARY SERVICE

For the purpose of clarifying the provisions of paragraphs (a) and (b) in § 18.13 (9 F.R. 7242; 10 F.R. 695, 7153), they now read as follows:

§ 18.13 *Restoration after return from military service*—(a) *Persons entitled to restoration by law.* Any civilian employee of the Executive branch of the Government covered by the Selective Training and Service Act or other statutes providing for reemployment after military service who has left or leaves his position (other than a temporary position) in order to perform active military or naval service for the United States and (1) is honorably separated from such service, (2) is still qualified

to perform the duties of such position, and (3) makes application for reemployment within ninety days after he is relieved from such active duty or service or from hospitalization continuing after discharge for a period of not more than one year, shall be restored within thirty days to the position he left or, if that position does not exist, to a position of like seniority, status, and pay: *Provided*, That failure of the agency to act within the said period will not affect the employee's right to restoration: *Provided further*, That the employee's tenure with the agency will determine whether he left other than a temporary position and the fact that the last position the returning veteran held through promotion or reassignment carried a time limitation will not of itself affect his right to be restored to that position or one of like seniority, status and pay.

(b) *Persons not entitled to restoration by law.* (1) Any person having appointment under the civil service rules and the war service regulations not limited to one year or less who left or leaves a temporary position (within the meaning of the statutes providing for restoration) in any department or agency of the Executive branch of the Federal Government in order to perform active military or naval service for the United States and (i) is honorably separated from such service, (ii) is still qualified to perform the duties of such position, and (iii) makes application for reemployment within ninety days after he is relieved from such active duty or service or from hospitalization continuing after discharge for a period of not more than one year, shall be reemployed within thirty days either in the position he left or in a position of like seniority, status, and pay in the same geographical locality in which he was employed formerly: *Provided*, That such reemployment will not require the removal through reduction in force of any employee in a higher retention group: *Provided further*, That reemployment under this paragraph shall not extend the limitation placed upon his original appointment: *Provided further*, That failure of the agency to act within the said period will not affect the employee's right to restoration: *Provided further*, That the fact that the last position the returning veteran held through promotion or reassignment carried a time limitation will not of itself affect his right to be restored to that position or one of like seniority, status and pay.

(2) Any person who, in order to perform active military or naval service for the United States, left or leaves a position in a public or private enterprise (other than a temporary position limited to one year or less) which was or is subsequently taken over by the Federal Government shall be entitled to the reemployment rights set forth in subparagraph (1) of this paragraph upon meeting the conditions therein.

(Pub. Law 473, 78th Cong.; E.O. 9063 as amended by E.O. 9378, 8 F.R. 13037)

NOTE: Since the above changes represent a clarification of the provisions of paragraphs

(a) and (b), and make no change in policies, they are considered to have been in effect from the date of the original promulgation of this regulation (5 CFR, 1943 Supp., 18.13).

By the United States Civil Service Commission.

[SEAL]

H. B. MITCHELL,
President.

AUGUST 4, 1945.

[F. R. Doc. 45-16808; Filed, Sept. 10, 1945; 10:00 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Production and Marketing Administration, Livestock Branch

Subchapter A—Packers and Stockyards

PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT

REVISION OF DEFINITIONS

By virtue of the authority vested in the Secretary of Agriculture under the Packers and Stockyards Act, 1921 (42 Stat. 159), as amended (7 U.S.C. and Supp. IV, 181 *et seq.*), Part 201 of Chapter II of Title 9, as amended by 10 F.R. 1471, is amended:

1. By striking § 201.2 (b), (c), (h), and (m) and substituting in lieu thereof the following:

§ 201.2 *Terms defined.* * * *

(b) "Administration" means the Production and Marketing Administration, Department of Agriculture.

(c) "Assistant Administrator" means the Assistant Administrator for Regulatory and Market Service matters, Production and Marketing Administration, Department of Agriculture, or any officer or employee of that Administration to whom the Assistant Administrator has heretofore lawfully delegated or to whom the Assistant Administrator may hereafter lawfully delegate, the authority to act in his stead.

(h) "Livestock Branch" means the Livestock Branch, Production and Marketing Administration, Department of Agriculture.

(m) "Secretary" means the Secretary of Agriculture or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in his stead.

2. By striking the words "Office of Marketing Services, War Food Administration" wherever they appear in the regulations and substituting in lieu thereof the words "Production and Marketing Administration, Department of Agriculture."

3. By striking the word "Director" wherever it appears in the regulations and substituting in lieu thereof the words "Assistant Administrator."

The foregoing amendments shall become effective at 12:01 a. m., e. w. t., September 10, 1945.

Done at Washington, D. C., this 10th day of September 1945.

[SEAL]

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16877; Filed, Sept. 10, 1945; 3:18 p. m.]

Subchapter B—Meat Inspection Regulations

PART 257—FACILITIES FOR INSPECTION

OVERTIME WORK OF MEAT INSPECTION EMPLOYEES

Pursuant to the authority conferred upon the Secretary of Agriculture by act of Congress approved July 24, 1919 (7 U.S.C. 1940 ed. 394), and the act of Congress approved March 4, 1907, as amended and extended (21 U.S.C., 1940 ed., 71-91, 96; 21 U.S.C., 1940 ed., Supp. IV, 71), § 257.4, Subchapter B, Chapter II, Title 9 (10 F.R. 3316, 3319), Code of Federal Regulations, as amended July 5, 1945 (10 F.R. 8421) and August 28, 1945 (10 F.R. 10963), is hereby further amended to read as follows, effective September 9, 1945:

§ 257.4 *Overtime work of meat inspection employees.* The management of an official establishment desiring to work under conditions which will require the services of an employee of the division on Saturday, Sunday, or a holiday, or for more than 8 working hours of any day including Monday through Friday, shall, sufficiently in advance of the period of overtime, request the inspector in charge or his assistant to provide inspection service during such overtime period, and shall reimburse the Secretary of Agriculture for the cost of such overtime upon receipt of notice from an authorized official of the department. It will be administratively determined from time to time which days constitute holidays.

Done at Washington, D. C., this 10th day of September 1945.

[SEAL]

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16875; Filed, Sept. 10, 1945; 3:18 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 306—CLAIMS AGAINST THE UNITED STATES

CLAIMS OF MILITARY PERSONNEL AND CIVILIAN EMPLOYEES FOR PROPERTY DAMAGED, LOST, DESTROYED, CAPTURED, OR ABANDONED IN THE SERVICE

Section 306.27 is rescinded and the following substituted in lieu thereof:

§ 306.27 *Claims of military personnel and civilian employees for property damaged, lost, destroyed, captured, or abandoned in the service.*—(a) *Scope.* Claims of military personnel and of civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property, reasonable, useful, necessary, or proper under the attendant circum-

stances, occurring incident to their service. Claims within the scope of the Military Personnel Claims Act of 1945 and this section and which would otherwise be within the provisions of §§ 306.12-306.23, 306.25 and 306.26 will be settled under the provisions of this section.

(b) *Classes of claims payable.* Claims are payable under the provisions of this section when damage, loss, destruction, capture, or abandonment of personal property occurs under any of the following circumstances:

(1) *Saving Government property or human life.* Where property is damaged, lost, destroyed, or abandoned in consequence of the claimant having given his attention to the saving of property belonging to the United States or to the saving of human life of another: *Provided*, Such Government property or such human life was in danger at the same time and under similar circumstances and the situation was such that the claimant could have saved all or part of the property in relation to which claim is made if he had elected to do so.

(2) *Being engaged in military duties in connection with the disaster.* Where property is damaged, lost, destroyed, or abandoned while the claimant was engaged in the performance of authorized military duties in connection with the disaster in which such damage, loss, destruction, or abandonment occurred, provided the situation was such that the claimant could have saved all or part of the property in relation to which claim is made if he had not been engaged in the performance of such military duties.

(3) *Property endangered by efforts to save Government property or human life.* Where property becomes endangered in consequence of the claimant giving his attention to the saving of property belonging to the United States or to the saving of human life of another and as a result thereof is damaged, lost, destroyed, or abandoned.

(4) *Performing military duties in connection with civil disturbance, public disaster, or disorders.* Where property is damaged, lost, destroyed, or abandoned in consequence of the claimant performing military duties in connection with civil disturbance, with public disaster, or with disorders involving persons subject to military law.

(5) *Property subjected to extraordinary risks.* Where property is damaged, lost, destroyed, or abandoned as a direct result of extraordinary risks to which it has been necessarily subjected in consequence of the performance by the claimant of noncombat military duties.

(6) *Marine disaster.* Where property is damaged, lost, destroyed, or abandoned incident to the service of the claimant in consequence of shipwreck, fire on board, collision, sinking, capsizing, or stranding of a vessel, or perils of the sea.

(7) *Aircraft disaster.* Where property is damaged, lost, destroyed, or abandoned incident to the service of the claimant in consequence of hazards in connection with aircraft.

(8) *Property furnished to others.* Where property is damaged, or lost to the claimant, in consequence of the

claimant having furnished it, at the direction or request of superior authority or by reason of military necessity, to others in immediate and urgent need thereof.

(9) *Property used for benefit of Government.* Where property is damaged, lost, destroyed, or abandoned while being used, or held for use, for the benefit of the Government at the direction or request of superior authority or by reason of military necessity.

(10) *Property located at quarters or other authorized places.* Where property is damaged or destroyed by fire, flood, hurricane, or other serious occurrence, while located at:

(i) Quarters wherever situated, occupied by the claimant, which were assigned to him, or otherwise provided in kind, by the Government; or

(ii) Quarters not within continental United States, occupied by the claimant, but not assigned to him, or otherwise provided in kind, by the Government (for the purposes hereof Alaska is deemed to be not within continental United States), except where the claimant, if a civilian employee, is a local inhabitant or not a national of the United States; or

(iii) Any warehouse, office, hospital, baggage dump, or other place (except quarters, but see (i) and (ii) above), designated by superior authority for the reception of the property.

(11) *Transportation losses.* Where property, including baggage checked or in personal custody, is damaged, lost or destroyed incident to transportation by a carrier, an agent or agency of the Government, or private conveyance:

(i) When shipped under orders; or

(ii) In connection with travel under orders irrespective of the purpose of such travel; or

(iii) In connection with travel in performance of military duty with or without troops.

Such claims may be approved only to the extent of the weight limit of the claimant's regulation allowance of baggage permitted to be shipped at Government expense.

(12) *Negligence of the Government.* Where property is damaged, lost, destroyed, or abandoned incident to the service of the claimant and a proximate cause of such damage, loss, destruction, or abandonment was the negligent act or omission of agents or employees of the Government acting within the scope of their employment. See §§ 306.12 to 306.23 or § 306.26 in cases where the provisions of this section are not applicable.

(13) *Abandonment or destruction.* Where property is abandoned or destroyed:

(i) By order of superior authority, or

(ii) By reason of military emergency requiring such abandonment or destruction: *Provided*, If the claimant is a civilian employee not subject to military law, the abandonment or destruction occurred incident to the service of the claimant.

(14) *Enemy action.* Where property is damaged, destroyed, or captured by the enemy or is destroyed to prevent its falling into the hands of the enemy: *Pro-*

vided, If the claimant is a civilian employee not subject to military law, the damage, destruction, or capture occurred incident to the service of the claimant.

(15) *Lost in the field during campaign.* Where property is damaged, lost, destroyed, captured, or abandoned in the field incident to combat or to movement which is part of a combat mission: *Provided*, If the claimant is a civilian employee not subject to military law, the damage, loss, destruction, capture, or abandonment occurred incident to the service of the claimant.

(16) *Belligerent activities.* Where property is damaged, lost, destroyed, captured, or abandoned by reason of hostile or belligerent activities in the course of warfare to which the United States is not a party, confiscation, guerilla activity, or organized brigandage, in a foreign country in which the claimant is present by reason of the performance of his duties for the Government of the United States: *Provided*, If the claimant is a civilian employee not subject to military law, the damage, loss, destruction, capture, or abandonment occurred incident to the service of the claimant.

NOTE: Any particular claim may be within one or more of the above classes. Civilian employees subject to military law are for the purposes of this section considered as military personnel. Claims of military personnel, and civilian employees subject to military law, based on subparagraphs (1) to (5), (8) to (11), or (13) to (16) above are always incident to service. Claims of all personnel based on subparagraphs (6), (7), or (12) above are payable only if the damage, loss, destruction, capture or abandonment occurred incident to the service of the claimant. Claims of civilian employees not subject to military law based on subparagraphs (1) or (3) or (6) to (16) above are payable only if the damage, loss, destruction, capture, or abandonment occurred incident to the service of the claimant. Subparagraphs (2), (4), and (5) above are not applicable to claims of civilian employees not subject to military law.

(c) *Claims not payable.* Claims otherwise within the scope of paragraph (b) are nevertheless not payable under the provisions of this section (but see §§ 306.12-306.23, 306.25 and 306.26) when the damage, loss, destruction, capture, or abandonment involves any of the following classes of property or when losses occur under any of the following circumstances:

(1) *Clothing being worn.* Clothing being worn at the time when damaged, lost, or destroyed.

(2) *Unserviceable property.* Worn-out or unserviceable property.

(3) *Souvenirs, etc.* Souvenirs, ornamental jewelry, and articles acquired to be disposed of as gifts.

(4) *Intangible property.* Choses-in-action, or evidences thereof, such as bank books, checks, promissory notes, stock certificates, bonds, bills of lading, warehouse receipts, baggage checks, insurance policies, money orders, and travelers' checks.

(5) *Government property.* Property owned by the United States, except such property for which the claimant is responsible to an agency of the Government other than the War Department or the Army.

(6) *Non-personal items.* Property not personal to the use of the claimant, such as wearing apparel of other members of the claimant's household.

(7) *Motor vehicles.* Motor vehicles, of any type, except in cases where the damage, loss, destruction, capture, or abandonment occurred prior to July 1, 1942.

(8) *Enemy property.* Property of civilian employees who are nationals of a country at war with the United States, or of any ally of such enemy country, except as it is determined that the claimant is friendly to the United States; property of prisoners of war or interned enemy aliens; and property of civilian employees of questionable loyalty to the United States or who have collaborated with an enemy, or with an ally of an enemy, of the United States.

(9) *Losses of subrogees.* Losses of insurers and other subrogees.

(10) *Losses recoverable from insurer.* Losses, or any portion thereof, which have been recovered or are recoverable from an insurer. See paragraphs (k) and (l).

(11) *Losses recoverable from carrier.* Losses, or any portions thereof, which have been recovered or are recoverable from a carrier. See paragraphs (h) to (m).

(12) *Losses in quarters.* Where damage, loss, destruction, capture, or abandonment occurs at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him, or otherwise provided in kind, by the Government.

(13) *Losses of seamen.* Losses of merchant seamen, and of War Department seamen, to any part of which marine or war risk insurance issued by War Shipping Administration is applicable.

(14) *Contractual coverage.* Losses, or any portions thereof, which have been recovered or are recoverable pursuant to contract.

(15) *Negligence of claimant.* Where the damage, loss, destruction, capture, or abandonment was caused in whole or in part by any negligence or wrongful act on the part of the claimant, or of his agent or employee acting within the scope of his employment.

(16) *Losses concurrent with or after death.* Property damaged, lost, destroyed, captured, or abandoned concurrently with or subsequent to death.

NOTE: Property, or the circumstances under which damage, loss, destruction, capture, or abandonment occurs, may be within one or more of the above categories.

(d) *Type and quantity of property.* Claims are payable under this section only for the damage, loss, destruction, capture, or abandonment of such types of tangible personal property including money, and such quantities or amounts thereof, as shall be determined by the approving authority to be reasonable, useful, necessary, or proper under the attendant circumstances. Among such items of personal property is such property as by law or regulations is required to be possessed or used by military personnel or civilian employees of the War Department or of the Army incident to

their service. Claims which are otherwise within this section will not be disapproved for the sole reason that the property was not in the possession of the claimant at the time of the damage, loss, destruction, capture, or abandonment, or for the sole reason that the claimant was not the legal owner of the property in relation to which the claim is made; for example, property reasonable, useful, necessary, or proper to the claimant may be the subject of a claim even though borrowed from others.

(e) *Expensive articles.* Allowance for expensive articles, or for items purchased at unreasonably high prices, will be based upon fair and reasonable prices for substitute articles appropriate for the claimant under the particular circumstances of his service.

(f) *Statute of limitations.* No claim may be paid under this section unless presented in writing within 1 year after the occurrence of the accident or incident out of which the claim arises; *Provided*, That if the accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, a claim may, if good cause for delay is shown, be presented within 1 year after peace is established.

(g) *Application to pending claims.* This section applies to all claims otherwise within the scope hereof, not heretofore paid, arising out of accidents or incidents occurring on or after December 7, 1939, including claims, or portions thereof, heretofore presented and disapproved as not within the scope of the then applicable laws and regulations.

(h) *Demand on carrier.* Whenever property is damaged, lost, or destroyed while being transported by a carrier, the claimant should make demand in writing upon the last carrier known or believed to have handled the shipment for reimbursement for such damage, loss, or destruction. If more than one bill of lading or contract was issued, a separate demand should be made upon the last carrier under each bill of lading or contract. Such demand should be made prior to the filing of a claim against the Government under this section and within the period provided by statute, by regulations of the Interstate Commerce Commission, or by other applicable limitation and, in any event, within 9 months subsequent to the date of delivery of the shipment or, if no portion of the shipment is delivered, within 9 months subsequent to the date when delivery would in the normal course have been made. The liability of the carrier is governed by the terms of the bill of lading or contract. The liability of a rail carrier with respect to property shipped on a Government bill of lading is normally limited to 10 cents per pound for each article damaged, lost, or destroyed; the liability is normally limited to 30 cents per pound if shipped by motor carrier. As the portion of any loss which is recovered or recoverable from a carrier must be deducted from the amount otherwise payable by the Government under this section (see paragraph (c) (11)), it is important that the claimant accept from the carrier any payment correctly determined in satisfaction of

the carrier's limited liability as above outlined. Copies of such demand and of any subsequent demands and related correspondence, as well as the originals of any replies, should be retained by the claimant for presentation with any claim subsequently filed against the Government under the provisions of these regulations. In the event the carrier denies liability it will be presumed that no amount is recoverable, and if the carrier fails to reply to the claimant's demand within a reasonable time it will be presumed that the carrier denies liability.

(i) *Form of demand on carrier.* It is suggested that demands on carriers (see paragraph (h)) be made by letter in substantially the following form:

DEMAND ON CARRIER

(Date) _____
 (Name of carrier) _____
 (Address) _____
 GENTLEMEN: Claim is presented by the undersigned for _____ in connection with the following shipment:
 (Loss or damage) _____
 from _____ (City, town or station) _____
 to _____ (City, town or station) _____
 in connection with _____ (Bill of lading, contract, or baggage check)
 No. _____, dated _____, covering shipment of _____
 (Household goods, footlocker, flight bag, etc.)
 described as follows:

Description of container (or of article if uncrated)	Approximate weight (lbs)	Nature and extent of damage	Amount claimed
_____	_____	_____	\$ _____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total amount of claim.	_____	_____	_____

Detailed description of property lost or damaged, including identifying marks on containers:

Remarks: _____
 Yours very truly, _____
 (Name) _____
 (Address) _____

(j) *Failure to make demand on carrier.* In cases where, under this section (see paragraph (h)), demand on a carrier is required and the claimant fails to make such demand seasonably or fails to make reasonable efforts to collect the amount recoverable from the carrier, the amount otherwise payable under this section will be reduced by the maximum amount recoverable from the carrier if claim therefor had been filed seasonably with the carrier: *Provided*, That the circumstances of the claimant's service were not such as to preclude seasonable filing of such claim with the carrier: *And provided further*, That it shall not be found that a demand in any event was impracticable or would have been unavailing.

(k) *Demand on insurer.* Whenever property damaged, lost, destroyed, captured, or abandoned was insured in whole

or in part (see paragraph (c) (10)), the claimant should make demand in writing upon the insurer for reimbursement under the terms and conditions of the insurance coverage. Such demand should be made prior to the filing of claim against the Government under this section and within the time limit provided in the policy. Copies of such demand and of any subsequent demands and related correspondence, as well as the originals of any replies, should be retained by the claimant for presentation with any claim subsequently filed against the Government under this section. In the event the insurer denies liability it will be presumed that no amount is recoverable, and if the insurer fails to reply to the claimant's demand within a reasonable time it will be presumed that the insurer denies liability.

(l) *Failure to make demand on insurer.* In cases where, under this section (see paragraph (k)), demand on an insurer is required and the claimant fails to make such demand seasonably or fails to make reasonable efforts to collect the amount recoverable from the insurer, the amount otherwise payable under this section will be reduced by the maximum amount recoverable from the insurer if claim therefor had been filed seasonably with the insurer: *Provided*, That the circumstances of the claimant's service were not such as to preclude seasonable filing of such claim with the insurer: *And provided further*, That it shall not be found that a demand in any event was impracticable or would have been unavailing.

(m) *Transfer of rights against carrier or insurer.* Whenever a carrier or insurer denies liability or fails to satisfy such liability and a claim for the property in relation to which the claim is made is approved under this section, without deduction of the amount for which the carrier or insurer is deemed liable, the claimant by the acceptance of payment of such claim under this section will be deemed to have assigned to the United States, to the extent of the deductions not so made, his right, title, and interest in and to any claim he may have against the carrier or insurer and to have agreed that he will, upon request, execute and deliver to the United States a written assignment thereof together with the original or a copy of the bill of lading or contract, insurance policy, and all other papers which may be required to enable the United States to press the claim against the carrier or insurer.

(n) *Proration of recovery from carrier or insurer.* When the amount recovered or recoverable by the claimant from a carrier or insurer is less than the total loss, the amount so recovered or recoverable will be prorated between:

- (1) The amount approved; and
- (2) The sum of:
 - (i) The amount disapproved for items not reasonable, useful, necessary, or proper;
 - (ii) The amount disapproved for items not personal to the claimant's use;
 - (iii) The disapproved portion of the actual value of expensive articles and of items purchased at unreasonably high prices; and

(iv) The amount disapproved as the portion of damage allocated to excess baggage (see paragraph (o)).

(o) *Proration in event of excess baggage.* Where claim is made under paragraph (b) (11) for damage, loss, or destruction of property comprising a shipment the total weight of which is in excess of the regulation allowance of baggage permitted to be shipped at Government expense, there may be approved for payment only that proportionate part of the total damage, loss, or destruction which the regulation allowance on the basis of weight bears to the total weight shipped. When two or more shipments are made under or in connection with the same orders and the regulation allowance is exhausted or exceeded by the first or by the first and succeeding shipments, all further shipments will be deemed to be not within this section.

(p) *Claims within provisions of other regulations.* Claims within the scope of this section and which but for the existence of the Military Personnel Claims Act of 1945 and this section would be within the provisions of §§ 306.12-306.23, 306.25 and 306.26 will be settled under the provisions of this section which are preemptive of other claims provisions. Claims for damage, loss, destruction, capture, or abandonment not within the provisions of this section should be processed under the military claims provision (§§ 306.12-306.23), or under Article of War 105 (see § 306.25), or under the foreign claims provision (§ 306.26) if applicable.

(q) *Sections 306.1 to 306.10 applicable.* So far as not inconsistent with this section, the procedure set forth in §§ 306.1 to 306.10 will be followed as to claims within the provisions of this section.

(r) *Claimants.* Claims may be presented by the military personnel or civilian employee (or his duly authorized agent or legal representative) incident to whose service the property was damaged, lost, captured, destroyed, or abandoned. The claim, if filed by an agent or legal representative, should show the title or capacity of the person signing and be accompanied by evidence of the appointment of such person as agent, executor, administrator, or other fiduciary. In the event of the death of the military personnel or civilian employee subsequent to the accident or incident out of which the claim arose and prior to his filing a claim in person (or by a duly authorized agent), the claim may be presented by any of the following:

- (1) A duly appointed executor or administrator;
- (2) The widow or widower of the decedent;
- (3) Any child or other descendant of the decedent;
- (4) The father or mother of the decedent; or
- (5) Any brother or sister, or any descendant of any brother or sister, of the decedent.

(s) *Form of claim.* Claim will be submitted by presenting a detailed statement in triplicate, signed by or on behalf of the claimant, on WD Form 30B, Attention is directed to the provisions of paragraph (t) outlining specific types of evidence required in particular classes of claims; careful compliance with such re-

quirements is essential to avoid delays resulting from the necessity of returning the claim for amplification.

(t) *Evidence in support of claim.* The claim should be supported by the data required by the claim form (WD Form 30B) and, when and to the extent applicable and feasible, supplemental data and exhibits as follows:

(1) Sworn statements, by the claimant's commanding officer if possible, or by others having personal knowledge of the facts to corroborate the claimant's statement of facts, in the claim form and other evidence submitted in support of the claim. The claimant should so far as practicable, and prior to filing the claim, obtain such evidence by personal correspondence or otherwise.

(2) Statement of property recovered or replaced in kind.

(3) Statement regarding insurance, if any such statement should include:

- (i) Type and amount of insurance.
- (ii) Insurance policy, or copy thereof, or explanation as to inability to furnish same.

(iii) Certificate in substantially the following form:

CERTIFICATE OF DEMAND ON INSURER

(Date)

I, the undersigned, hereby certify that on ----- I made written demand on ----- in accordance with the terms and conditions of insurance coverage by said insurer by properly mailing to such insurer a letter, a copy of which, together with the originals or copies of the policy and other agreements evidencing such coverage, is attached to this certificate. I further certify that there are also attached to this certificate originals of all replies (if any) received from, and copies of all further correspondence (if any) sent to, said insurer.

(Insurer)

(Signature of claimant)

(4) Itemized bill for repairs, if damaged property has been repaired; or written estimates, by at least one competent disinterested witness, of the probable cost of repairs, if the property is repairable and has not been repaired.

(5) In any case where the military personnel or civilian employee is deceased, or if for any other reason the claim is submitted by an agent or legal representative, an attested copy of the power of attorney or a certificate of appointment of the executor or administrator or other fiduciary or, if no such appointment has been made, a statement as to the relationship which the person presenting the claim bears to the deceased.

(6) If claim is asserted under paragraph (b) (1) (saving Government property or human life), or under paragraph (b) (2) (being engaged in military duties in connection with the disaster):

(i) A statement in detail as to the claimant's location, acts, and conduct immediately before, during, and immediately after the disaster, and stating facts (not mere conclusions) from which it can be determined whether (if under paragraph (b) (1)) the claimant gave his attention to saving Government

property or human life of another instead of property in relation to which claim is made, or whether (if under paragraph (b) (2)) performance of authorized military duties in connection with the disaster prevented the claimant from saving property in relation to which claim is made; and

(ii) A statement in detail of the actual facts and circumstances surrounding the damage, loss, destruction, or abandonment from which it can be determined whether the situation was such that the claimant could have saved property in relation to which claim is made if (under paragraph (b) (1)) he had not elected to save Government property or human life of another, or if (under paragraph (b) (2)) he had not been engaged in the performance of authorized military duties in connection with the disaster.

(7) If claim is asserted under paragraph (b) (3) (property endangered by efforts to save Government property or human life):

A statement in detail of the actual facts and circumstances surrounding the damage, loss, destruction, or abandonment, and as to the claimant's location, acts, and conduct immediately before, during, and immediately after the disaster, stating facts (not mere conclusions) from which it can be determined whether the property in relation to which claim is made was previously in a position of safety but was endangered, and was subsequently damaged, lost, destroyed, or abandoned, as a consequence of the claimant having given his attention to saving Government property or human life of another.

(8) If claim is asserted under paragraph (b) (4) (performing military duties in connection with civil disturbance, public disaster, or disorders), or under paragraph (b) (5) (property subjected to extraordinary risks), or under paragraph (b) (6) (marine disaster), or under paragraph (b) (7) (aircraft disaster):

A statement in detail of the actual facts and circumstances surrounding the damage, loss, destruction, or abandonment.

(9) If claim is asserted under paragraph (b) (8) (property furnished to others), or under paragraph (b) (9) (property used for benefit of Government):

A statement in detail including the date and occasion of furnishing the property, the name and designation of the superior authority directing or requesting such action, and the names of the persons to whom the property was delivered.

(10) If claim is asserted under paragraph (b) (10) (property located at quarters or other authorized places)

A statement in detail including, if the property was located at quarters, the geographical location thereof, whether such quarters were assigned or otherwise provided in kind by the Government, and whether the quarters were at the time regularly occupied by the claimant, and including, if the property was located at other authorized places, the geographical

location thereof, the name, and designation of the authority designating such place as a proper place for such property to be left or located, and, including also, whether located at quarters or other authorized place, the actual facts and circumstances surrounding the damage or destruction.

(11) If claim is asserted under paragraph (b) (11) (transportation losses):

(i) Copy of orders authorizing the travel, transportation, or shipment. If such copies are not obtainable, there should be included in lieu thereof a certificate, corroborated if possible by a sworn statement by at least one person explaining the absence of such orders or copies thereof, stating the substance thereof and setting forth sufficient facts to establish the travel, if any, by the claimant and the transportation or shipment of the property.

(ii) Statement specifying the weight limit of claimant's regulation allowance of baggage under the attendant circumstances and total weight of the shipment.

(iii) Statement, in cases where the weight of shipment is in excess of the regulation allowance, showing whether such shipment included any articles not personal to the use of the claimant (such as wearing apparel belonging to members of the claimant's household) and, if so, a list thereof showing the approximate weight of each article.

(iv) In cases of missing baggage or effects, a statement as to the steps taken by the claimant in an effort to locate the property, attaching all correspondence, including replies, with former organizations, hospitals, and other installations.

(v) Statement, in cases where property was turned over to a quartermaster, transportation officer, supply officer, or contract packer, setting forth the following:

(a) Name (or designation) and address of quartermaster, transportation officer, supply officer, or contract packer.

(b) Date property was turned over.

(c) Condition when property was turned over.

(d) When and where property was packed.

(e) Methods of packing and crating.

(f) Date when property was shipped and reshipped.

(g) Copies of all manifests, bills of lading, and contracts.

(h) Date and place of delivery of property to claimant.

(i) Date property was unpacked.

(j) Statement by quartermaster, transportation officer, or supply officer as to condition of property when received and delivered, as to handling and storage, as to reasons for and conditions of storage, whether property was handled by local carrier, and whether damage occurred during such handling.

(k) Whether negligence on the part of any Government employee acting within the scope of his employment caused the damage, loss, or destruction.

(l) Whether last common carrier was given a clear receipt.

(m) Whether local civilian carrier was given a clear receipt.

(vi) Certificate, if a carrier is involved, in substantially the following form:

CERTIFICATE OF DEMAND ON CARRIER

(Date)
I, the undersigned, hereby certify that on _____ I made written demand
(Date)

on _____ by properly mailing
(Carrier)

to such carrier a letter, a copy of which is attached to this certificate. I further certify that there are also attached to this certificate originals of all replies (if any) received from, and copies of all further correspondence (if any) sent to, said carrier.

(Signature of claimant)

(12) If claim is asserted under paragraph (b) (12) (negligence of the Government):

A statement in detail setting forth the actual facts and circumstances surrounding the damage, loss, destruction, or abandonment, including the names and addresses of the Government agents or employees whose negligent acts or omissions caused the damage, loss, destruction, or abandonment, and specifying the acts or omissions claimed to have been negligent and the facts relied upon to establish that such agents or employees were acting within the scope of their employment.

(13) If claim is asserted under paragraph (b) (13) (abandonment or destruction):

A statement in detail by claimant, corroborated if possible by statement from claimant's commanding officer or others having personal knowledge of the facts, stating facts (not mere conclusions) from which it can be determined that the property was abandoned or destroyed by order of superior authority or by reason of military emergency requiring such abandonment or destruction.

(14) If claim is asserted under paragraph (b) (14) (enemy action), or under paragraph (b) (15) (lost in the field during campaign), or under paragraph (b) (16) (belligerent activities):

(i) Copy of orders, or other available evidence, to establish claimant's entry into the area or location involved.

(ii) Any additional evidence (including original receipts, if any, by whomsoever issued) to establish (if under paragraph (b) (14)) that the property was damaged, destroyed, or captured by the enemy or was destroyed to prevent its falling into the hands of the enemy, or (if under paragraph (b) (15)) that the property was damaged, lost, destroyed, captured, or abandoned in the field incident to combat or to movement which was part of a combat mission, or (if under paragraph (b) (16)) that the property was damaged, lost, destroyed, captured, or abandoned by reason of hostile or belligerent activities in the course of warfare to which the United States was not a party, confiscation, guerilla activity, or organized brigandage, in a foreign country in which the claimant was present by reason of the performance of his duties for the Government of the United States.

(u) Filing of claim. All claims within the provisions of this section will

be submitted to the commanding officer of the organization to which the claimant belongs or with which he is serving if practicable, otherwise to the commanding officer of any post, camp, station, or other military establishment, if practicable the one nearest to the point where investigation of the facts and circumstances can most conveniently be made. Claims may also be submitted to the commanding general of any service command, or air technical service command, within the United States, its territories, and possessions, or to any office of the command claims service in any theater of operations or other command outside the continental limits of the United States. In any case where submission under the foregoing provisions is impracticable, claims may be submitted direct to The Judge Advocate General, Washington 25, D. C. Acceptance of a claim for filing will not be refused even though the claim appears not to be within the provisions of this section.

(v) *Approval and payment approving authorities.* (1) Claims submitted under the provisions of this section will be considered, ascertained, adjusted, determined, settled and, when substantiated as within the provisions of this section, will be approved or disapproved, by any officer or officers designated by The Judge Advocate General from his staff for that purpose, or (subject to such jurisdictional limits as to amount as may be from time to time fixed) by any foreign claims commission designated by him for that purpose. The Judge Advocate General has designated the Chief of the Claims Division, Office of the Judge Advocate General, to approve or disapprove such claims.

(2) Notice to claimant. Upon disapproval of a claim by the approving authority, the claimant will be notified in writing of the action taken and the reason therefor.

(3) Effect of action. The action of the approving authority in approving or disapproving a claim in whole or in part will be final and conclusive for all purposes.

(4) Acceptance agreement. No acceptance agreement by the claimant is necessary, and no such acceptance agreement will be required or included in the file, at any stage in the processing of the claim.

(5) *Payment.* Upon approval of a claim in whole or in part, the claim, with related file, will be transmitted by the approving authority to the appropriate disbursing officer for payment. (41 Stat. 1436; 31 U.S.C. 218-222 as amended by the Military Personnel Claims Act of 1945, Public Law 67-79th Congress) [AR 25-100, 29 May 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-16878; Filed, Sept. 10, 1945;
3:41 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-16]

PART 702—PRIVATE WAR HOUSING

RELAXATION OF RESTRICTIONS REQUIRING PRIVATE WAR HOUSING (H-1 AND H-2) TO BE HELD FOR RENTAL

Corrected Reprint

The purpose of this regulation is to relax National Housing Agency controls which require certain private war housing (H-1 and H-2, comprising §§ 702.1 to 702.56, inclusive) be held for rental.

All restrictions and controls of the National Housing Agency which require any private war housing (H-1 and H-2) to be held for rental are hereby revoked as to any such housing now or hereafter vacant: *Provided*, That such vacancy is not created by the eviction of a tenant for the occupancy of an owner or purchaser who is not otherwise entitled to the possession of such housing: *And provided further*, That before any such housing is sold for occupancy a maximum authorized sales price has been established in the application for priority assistance or for authority to begin construction or as otherwise provided in NHA regulations.

Nothing in this regulation shall affect any restriction or control with respect to a maximum authorized rental or sales price contained in any application for priorities assistance or for authority to begin construction or in any regulation or control of the National Housing Agency, the War Production Board, or the Office of Price Administration.

This regulation shall be effective immediately.

(55 Stat. 838; E.O. 9070, 7 F.R. 1529; 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329, as amended by E.O. 9040, 7 F.R. 527, and E.O. 9125, 7 F.R. 2719)

JOHN R. BLANDFORD, JR.
Administrator.

[F. R. Doc. 45-16813; Filed, Sept. 10, 1945;
10:19 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 526—INDUSTRIES OF A SEASONAL NATURE

APPLICATION FOR EXEMPTION OF BEET SUGAR INDUSTRY FROM MAXIMUM HOURS PRO- VISIONS¹

Whereas, the determination, made by the Administrator, under section 7 (b) (3) of the Fair Labor Standards Act of 1938, on August 24, 1940 (5 F.R. 3167) that the first processing and canning of perishable or seasonal fresh fruits and vegetables is an industry of a seasonal nature within the meaning of the exemption provided by that section of the act, does not apply to all operations performed in the beet sugar industry but is limited to the first processing of sugar beets; and

¹ Affects tabulation in § 526.701.

Whereas, upon consideration of an application for the exemption of the beet sugar industry from the maximum hours provisions of the Fair Labor Standards Act of 1938 as an industry of a seasonal nature, pursuant to section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder, a preliminary determination was made that a prima facie case had been shown for the granting of the aforesaid exemption to the beet sugar industry and notice thereof was published in the FEDERAL REGISTER on July 14, 1944 (9 F.R. 7860) in accordance with the provisions of § 526.5 (b) (ii) of the regulations; and

Whereas, within 15 days following the publication of the said preliminary determination, the Administrator received objections and requests for hearing; and

Whereas, pursuant to notice in accordance with §§ 526.5 and 526.6 of regulations Part 526, as amended, a public hearing was held in Denver, Colorado, on September 22, 1944 before Nathan Rubinstein, an authorized representative of the Administrator, who was authorized to receive evidence and hear argument for the purpose of determining:

Whether the beet sugar industry is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the act and Part 526, as amended, of the regulations issued thereunder, and if so, the appropriate limits of the industry and the extent to which any determination made pursuant to these proceedings shall supersede the determination made by the Administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) of the act for the first processing of perishable or seasonal fresh fruits and vegetables insofar as that determination is applicable to the first processing of sugar beets; and

Whereas, following such hearing the said Nathan Rubinstein duly made the following findings:

(1) Sugar beets mature and are harvested during a regularly recurring season each year beginning in most beet producing areas about the middle of September and ending before freezing weather sets in. Although sugar beets are frequently stored for limited periods, deterioration sets in within a short time after they have been harvested and the beets must therefore be processed as quickly as possible to prevent substantial deterioration and loss of sugar;

(2) Sugar beets are processed into sugar during a regularly recurring season each year from about October through January, a period of about four months, except in California, where the season may be as long as six months each year;

(3) Sugar beet processing establishments cease production during the remainder of the year except for such work as maintenance, repair, clerical and sales work, because sugar beets are no longer available for processing as a result of natural conditions;

(4) The beet sugar industry as defined in this determination is an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the regulations, as amended, issued thereunder;

(5) As used in this determination, the term "beet sugar industry" includes: receiving the sugar beets at the factory site or at receiving stations operated by the beet sugar factory; the transporting of the beets from such receiving stations to the factory when performed by employees of the sugar beet

processor; the production of sugar from the beets and the further extraction of sugar from sugar beet molasses by mixing and concurrently processing the molasses with the beet juice obtained directly from the sugar beets; and the following operations when performed by employees of the sugar beet processor on or near the premises of the beet sugar plant while the sugar beets are being received at the factory or are being processed into sugar: the powdering of sugar; the compressing and artificial drying of wet beet pulp; the weighing, handling, packaging, bagging and storing of sugar, wet beet pulp, dried beet pulp and molasses; the removal of these products from the premises and placing them in transportation facilities; and any operations or services necessary or incident to the foregoing, such as the testing of the equipment, maintenance, repairs, clerical work or sales work. The term "beet sugar industry" does not include the quarrying of lime, the manufacture of bags or other sugar containers, or the manufacturer of yeast, citric acid, or any other by-products not specifically included in this definition.

The application is granted in accordance with the above findings and determination, and if and when made final and effective will supersede the determination made by the administrator on August 24, 1940 (5 F.R. 3167) granting an exemption under section 7 (b) (3) for the first processing of perishable or seasonal fresh fruits and vegetables insofar as that determination is applicable to the first processing of sugar beets;

and

Whereas, said findings and determination were duly filed with the Administrator on June 23, 1945 at the National Office of the Wage and Hour Division, 165 West 46th Street, New York 19, New York, and have been available for examination by all interested parties; and

Whereas, on July 12, 1945, there was caused to be published in the FEDERAL REGISTER (10 F.R. 8673), pursuant to the provisions of § 526.7 of the aforementioned regulations, a notice to the effect that any person aggrieved by the said findings might, within 15 days after July 12, 1945, file a petition with the Administrator requesting that he review the action of the said representative upon the record of the hearing; and

Whereas, petitions for review of the said findings of the presiding officer were duly filed with the Administrator; and

Whereas, after careful consideration by the Administrator of the issues raised by the petitioners, it has been determined that the aforesaid petitions do not present any new or additional facts warranting a review of the findings of the presiding officer;

Now, therefore, pursuant to the provisions of § 526.7 of regulations, Part 526, the petitions for review of the findings of the presiding officer in this matter are hereby denied and the exemption provided by section 7 (b) (3) of the Fair Labor Standards Act of 1938 will become effective in accordance with the aforementioned findings upon publication of this determination in the FEDERAL REGISTER.

Signed at New York, New York, this 7th day of September 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-16938; Filed, Sept. 11, 1945; 11:16 a. m.]

Chapter IX—Agriculture Department (Agricultural Labor)

[Supp. 65, Revocation]

PART 1103—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF TEXAS

WORKERS ENGAGED IN PICKING AMERICAN UPLAND COTTON IN CERTAIN COUNTIES OF TEXAS

Supplement 65 to the specific wage ceiling regulations which Supplement 65 was issued by the Secretary of Agriculture on August 10, 1945 (10 F.R. 9999) together with its amendment, issued August 23, 1945 (10 F.R. 10348) is hereby revoked as to all counties specified therein: *Provided, however*, That the provisions of said Supplement 65 shall continue to remain in full force and effect for the purpose of allowing or sustaining any suit, action, proposition, or administrative or other proceeding heretofore or hereafter commenced with respect to any violation committed or right or liability accruing under or pursuant to the terms of the provisions of such Supplement 65.

Effective date. This revocation shall become effective at 12:01 a. m., Central War Time, September 8, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 8th day of September 1945.

[SEAL] K. A. BUTLER,
Acting Director of Labor,
Department of Agriculture.

[F. R. Doc. 45-16821; Filed, Sept. 10, 1945; 11:05 a. m.]

[Supp. 78]

PART 1104—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF SOUTH DAKOTA

WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN SOUTH DAKOTA COUNTIES

§ 1104.2 *Workers engaged in harvesting potatoes in Coddington, Hamlin, Day, Clark, Grant, Deuel, Brookings, and Kingsbury Counties, State of South Dakota.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1945, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the South Dakota USDA Wage Board that a majority of the producers of potatoes in the area affected participating in hearings

conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the South Dakota USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting potatoes in Coddington, Hamlin, Day, Clark, Grant, Deuel, Brookings, and Kingsbury Counties, State of South Dakota, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Definitions.* When used in this section:

(1) The term "Area I" means all that area in 12 townships in Coddington County, being Townships 116 N, 117 N, and 118 N in Ranges W 51, 52, 53, and 54, and all that area in four townships in Hamlin County, being Townships 115 N in Ranges W 51, 52, 53, and 54.

(2) The term "Area II" means all of Coddington and Hamlin Counties not included within Area I and all of Day, Clark, Grant, Deuel, Brookings and Kingsbury Counties.

(c) *Maximum wage rates for harvesting potatoes.* (1) Maximum wages for harvesting potatoes in Area I:

(i) For picking potatoes—5¢ per 35-pound basket.

(ii) For loading and unloading potatoes—3¢ per sack of 70 pounds.

(iii) For all potato harvest labor other than picking, loading and unloading—\$1 per hour.

(2) Maximum wages for harvesting potatoes in Area II:

(i) For picking potatoes—6¢ per 35-pound basket.

(ii) For loading and unloading potatoes—3¢ per sack of 70 pounds.

(iii) For all potato harvest labor other than picking, loading and unloading—\$1.25 per hour.

(d) *Administration.* The South Dakota USDA Wage Board, the address of which shall be South Dakota USDA Wage Board, c/o the Chairman, Huron, South Dakota, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 78 shall become effective at 12:01 a. m., Central War Time, September 8, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681;

E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 8th day of September, 1945.

K. A. BUTLER,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-16823; Filed, Sept. 10, 1945;
11:05 a. m.]

[Supp. 71]

PART 1108—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF IDAHO

WORKERS ENGAGED IN HARVESTING WHEAT AND OTHER GRAINS IN CERTAIN IDAHO COUNTIES

Correction

In Federal Register Document 45-16527, appearing at page 11343 of the issue for Thursday, September 6, 1945, the signature at the end should read "K. A. Butler".

[Supp. 76]

PART 1116—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF OHIO

WORKERS ENGAGED IN THE PRODUCTION OF GREENHOUSE VEGETABLES IN CERTAIN OHIO COUNTIES

§ 1116.1 *Workers engaged in the production of greenhouse vegetables in Cuyahoga, Erie, Lorain, and Medina Counties, State of Ohio.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Ohio USDA Wage Board that a majority of the producers of greenhouse vegetables in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the Ohio USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in the production of greenhouse vegetables in Cuyahoga, Erie, Lorain, and Medina Counties, State of Ohio, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Definitions.* When used in this section:

(1) The term "skilled worker" means a worker capable of boiler operations,

temperature and humidity control, maintenance and repair functions, operating machinery and watering, in addition to performing duties as unskilled and semi-skilled worker.

(2) The term "semi-skilled worker" means a worker capable of pollanizing, pruning, planting, exercising pest control, such as spraying, dusting, plowing, picking, and grading.

(3) The term "beginner or unskilled worker" means a worker capable of shoveling coal, hauling manure, picking vegetables and when under supervision of an experienced worker, pollenizing and pruning.

(4) The term "foreman" means a worker having knowledge necessary to performing the functions of a skilled worker plus a working knowledge of personnel management.

(c) *Maximum wage rates for the production of greenhouse vegetables.* (1) Maximum hourly wages for beginners or unskilled workers—75¢ per hour.

(2) Maximum hourly wages for semi-skilled workers—\$1 per hour.

(3) Maximum hourly wages for skilled workers—\$1.25 per hour.

(4) Maximum hourly wages for workers employed as foremen—\$1.50 per hour.

(d) *Administration.* The Ohio USDA Wage Board, the address of which shall be Ohio USDA Wage Board, c/o J. I. Falconer, Chairman, Townsend Hall, Ohio State University, Columbus, Ohio, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(e) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This Supplement No. 76 shall become effective at 12:01 a. m., Eastern War Time, September 8, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 8th day of September 1945.

K. A. BUTLER,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-16822; Filed, Sept. 10, 1945;
11:05 a. m.]

[Supp. 79]

PART 1117—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF MINNESOTA

WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN MINNESOTA COUNTIES

§ 1117.1 *Workers engaged in harvesting potatoes in Clay, Norman, Polk, Marshall, and Kittson Counties, State of Minnesota.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Minnesota USDA Wage Board that a majority of the producers of potatoes in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture, and based upon relevant facts submitted by the Minnesota USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting potatoes in Clay, Norman, Polk, Marshall, and Kittson Counties, State of Minnesota, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Maximum wage rates for harvesting potatoes.* (1) Maximum wages for picking potatoes—10¢ per 75 to 80-pound bag.

(2) Maximum wages for loading potatoes—\$1.25 per hour.

(3) Maximum wages for driving truck or potato digger—\$1 per hour.

When board is furnished workers, charges for such board shall be less than \$2 per day per worker.

(c) *Administration.* The Minnesota USDA Wage Board, the address of which shall be Minnesota USDA Wage Board, c/o S. H. Rutford, Chairman, Department of Agriculture, University of Minnesota, St. Paul, Minnesota, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

Effective date. This section shall become effective at 12:01 a. m., Central War Time, September 8, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq. (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478; 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 8th day of September 1945.

K. A. BUTLER,
Acting Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-16824; Filed, Sept. 10, 1945;
11:05 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration for War

[SFAW Suspension Order 6]

PART 602—GENERAL ORDERS AND DIRECTIVES

WALKER ICE AND COAL CO.

Thomas Walker and Edward Walker, 1429 North American Street, Philadelphia, Pennsylvania, are engaged in the business, under the name of Walker Ice and Coal Company, of buying and reselling anthracite as a retail dealer. An investigation by SFAW including an examination of the books and records of this company, discloses that it had, during the period from April 1, 1945 to June 4, 1945, delivered regulated sizes of anthracite to almost all of its customers without first obtaining Consumer Declarations from them as required by § 602.653 of SFAW Regulation No. 26, as amended. The investigation also disclosed that this dealer made numerous deliveries of such coal to consumers during that period in amounts in excess of 50 per cent of their normal annual requirements in violation of § 602.657 (c) of SFAW Regulation No. 26, as amended. The investigation also disclosed that this dealer was not keeping accurate and complete records of its deliveries of solid fuel as required by § 602.663 of SFAW Regulation No. 26, as amended.

At an informal conference attended by representatives of SFAW on June 13, 1945, Thomas Walker agreed in writing, on behalf of Walker Ice and Coal Company, that Consumer Declarations would be obtained from each of the customers to whom the company had delivered anthracite without obtaining Consumer Declarations, that these declarations would be submitted to the Philadelphia office of SFAW for checking, that all deliveries made during the period from April 1 to June 13, 1945 would be recorded on the reverse side of the Consumer Declarations obtained by the company and that the company would keep its books and records in such order as to permit their inspection by SFAW representatives. This agreement was not carried out.

In a letter dated July 18, 1945, the Deputy Solid Fuels Administrator notified Walker Ice and Coal Company of the results of the SFAW investigation

and of the fact that the agreement signed by Thomas Walker had not been carried out. The company was afforded an opportunity to file within 10 days a statement making such explanations as it might care to offer and to present any facts deemed by it to be pertinent to demonstrate why a suspension order should not be issued against it.

In an affidavit sworn to on July 26, 1945, Thomas Walker averred that although his company had hitherto "failed to keep accurate and complete records of his receipts and distribution of solid fuel, he will endeavor to do so in the future as he is installing a new book-keeping system . . ." Subsequently, on August 13, 1945, investigation by SFAW representatives of the books and records of the company disclosed that it had not taken steps to keep complete and accurate records of transactions governed by SFAW Regulation No. 26, as amended, and that the company had not yet obtained the required Consumer Declarations.

In view of the foregoing; *It is hereby ordered:*

(1) Thomas Walker and Edward Walker, doing business as Walker Ice and Coal Company, their successors or assigns, shall not acquire, sell, transfer, ship, deliver, or otherwise distribute those sizes of anthracite the distribution of which by retail dealers is regulated by the Solid Fuels Administration for War.

(2) No producer, wholesaler or retail dealer shall sell, transfer, ship, deliver, or otherwise distribute any of the sizes of anthracite referred to in (1) above to Thomas Walker and Edward Walker, doing business as Walker Ice and Coal Company, their successors or assigns. License No. 14249 and License No. 13106, issued to this company as an over-the-road trucker pursuant to § 702.670 of SFAW Regulation No. 28, as amended, are revoked.

(3) Nothing in this order shall be deemed to prohibit Thomas Walker and Edward Walker, doing business as Walker Ice and Coal Company, their successors or assigns, from selling the sizes of anthracite referred to in (1) above now in transit to or for their account, or in their possession or control, on and after the effective date of this order, to other retail dealers doing business in Philadelphia, Pennsylvania: *Provided*, That they sell such anthracite pursuant to written consent and instruction of the Regional Representative of the Solid Fuels Administration for War in Philadelphia, Pennsylvania.

(4) This order shall become effective five days after the date of the service thereof, unless otherwise hereafter ordered.

(5) This order shall be in effect until April 1, 1946, unless otherwise directed.

Issued this 5th day of September 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-16809; Filed, Sept. 10, 1945;
10:05 a. m.]

[SFAW Suspension Order 7]

PART 602—GENERAL ORDERS AND DIRECTIVES

JOSEPH SANTANA

Joseph Santana, 1513 N. Hancock Street, Philadelphia, Pennsylvania, is engaged in the business of buying and reselling anthracite as a retail dealer. An investigation by SFAW including an examination of the books and records of this retail dealer, disclosed that he had, during the period from April 1, 1945 to June 4, 1945, delivered regulated sizes of anthracite to almost all of his customers without first obtaining Consumer Declarations from them as required by § 602.653 of SFAW Regulation No. 26, as amended. The investigation also disclosed that this dealer made numerous deliveries of such coal to consumers during that period in amounts in excess of 50 percent of their normal annual requirements in violation of § 602.657 (c) of SFAW Regulation No. 26, as amended. The investigation also disclosed that this dealer was not keeping accurate and complete records of his deliveries of solid fuel as required by § 602.663 of SFAW Regulation No. 26, as amended.

At an informal conference attended by representatives of SFAW on June 13, 1945, Joseph Santana agreed in writing that Consumer Declarations would be obtained from each of the customers to whom he had delivered anthracite without obtaining Consumer Declarations, that these declarations would be submitted to the Philadelphia office of SFAW for checking, that all deliveries made during the period from April 1, 1945, to June 13, 1945, would be recorded on the reverse side of the Consumer Declarations obtained by him and that he would keep his books and records in such order as to permit their inspection by SFAW representatives. This agreement was not carried out.

In a letter dated July 18, 1945, the Deputy Solid Fuels Administrator notified Joseph Santana of the results of the SFAW investigation and of the fact that the agreement signed by Joseph Santana had not been carried out. The retail dealer was afforded an opportunity to file within 10 days a statement making such explanations as he might care to offer and to present any facts deemed by him to be pertinent to demonstrate why a suspension order should not be issued against him.

In an affidavit sworn to on July 26, 1945, Joseph Santana averred that although he had hitherto "failed to keep accurate and complete records for receipts and distribution of solid fuel because he is unable to read or write any language and because he cannot afford to employ any persons for said purpose * * * he will, however, endeavor in the future" to keep such records. Subsequently, on August 13, 1945, investigation by SFAW representatives of the books and records of Santana disclosed that he had not taken steps to keep complete and accurate records of transactions governed by SFAW Regulation No. 26, as amended, and that he had not yet obtained the required Consumer Declarations.

In view of the foregoing; *It is hereby ordered:*

(1) Joseph Santana, his successors or assigns, shall not acquire, sell, transfer, ship, deliver, or otherwise distribute those sizes of anthracite the distribution of which by retail dealers is regulated by the Solid Fuels Administration for War.

(2) No producer, wholesaler or retail dealer shall sell, transfer, ship, deliver, or otherwise distribute any of the sizes of anthracite referred to in (1) above to Joseph Santana, his successors or assigns. License No. 13995, issued to this retail dealer as an over-the-road trucker pursuant to Section 702.670 of SFAW Regulation No. 28, as amended, is revoked.

(3) Nothing in this order shall be deemed to prohibit Joseph Santana, his successors or assigns, from selling the sizes of anthracite referred to in (1) above now in transit to or for their account, or in his possession or control, on and after the effective date of this order, to other retail dealers doing business in Philadelphia, Pennsylvania; *Provided*, That he sells such anthracite pursuant to written consent and instruction of the Regional Representative of the Solid Fuels Administration for War in Philadelphia, Pennsylvania.

(4) This order shall become effective five days after the date of the service thereof, unless otherwise hereafter ordered.

(5) This order shall be in effect until April 1, 1946, unless otherwise directed.

Issued this 5th day of September 1945.

C. J. POTTER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 45-16810; Filed, Sept. 10, 1945;
10:05 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10155; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 3281—PULP AND PAPER

[General Preference Order M-93, Revocation]

Section 3281.6 *General Preference Order M-93* and Direction 1 thereto are hereby revoked, effective midnight September 30, 1945.

Until that time, the provisions of the order and of Direction 1 thereto, as well as all directions, authorizations, production and delivery schedules and other instruments previously or hereafter addressed to named persons, pursuant to the order and Direction 1 thereto, remain in full force and effect. Liabilities incurred for violations thereof will not be affected by this revocation.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16931; Filed, Sept. 11, 1945;
11:18 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Preference Order M-109, Revocation of Supplement 1]

GENERAL PURPOSE AND ADMINISTRATIVE POLICY

Section 3286.26a *Supplement 1 to General Preference Order M-109* is revoked. This revocation does not affect any liabilities incurred for violation of this supplement or of actions taken by the War Production Board under it. The sale and delivery of industrial diamonds remain subject to General Preference Order M-109 as amended September 11, 1945, and all other applicable orders and regulations of the War Production Board.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16633; Filed, Sept. 11, 1945;
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Supplementary Order M-317A, Interpretation 1]

VALIDITY OF AUTOMATIC RATINGS APPLIED OR EXTENDED UNDER SUPPLEMENTARY ORDER M-317A, AS AMENDED MAY 10, 1945

The following interpretation is issued with respect to Supplementary Order M317A:

The amendment of Order M-317A on July 12, 1945 changed the order of May 10, 1945 by eliminating the automatic ratings formerly assigned for unlimited amounts of fabrics and by substituting ratings assigned on individual applications, except for small quantities of material for which automatic ratings were assigned. Under paragraph (h) (2), however, the old automatic ratings were not revoked until July 19, and remained valid until that date.

Paragraph (h) (1) provides that when changes made by the order have the effect of revoking a preference rating or limiting its use; each person who has applied the rating to an unfilled order in a manner no longer allowed must immediately cancel the order or withdraw the rating.

Under these provisions taken together, it was required that purchase orders carrying ratings assigned under M-317A, as amended May 10, 1945, which were not filed by July 19 had to be unrated, except to the extent that the person was entitled at that time to use the same rating for the same purpose under the order as amended July 12, 1945. There were only two instances in which this could have been the case: First, automatic ratings allowed in paragraph (b) of the order for the limited amount of materials shown in Column (1) of the Preference Rating Schedules; and, second, advance authorization under paragraph (d) (1) pursuant to application on Form WPB-2842 filed by July 19, 1945, as the rating could be used for third

quarter deliveries as soon as the application was filed.

This interpretation covers all products included in the May 10 amendment of M-317A, except work gloves, and men's and boys' work clothing. Under Direction 17 to Order M-317 the automatic ratings assigned for them under M-317A were validated until July 31. After that date no ratings assigned under M-317A for those products were valid for any purpose whatever since they were covered by Schedules F and G of Order M-328B.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16886; Filed, Sept. 10, 1945;
4:41 p. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule B, as Amended Sept. 10, 1945]

SPECIAL PROGRAM FOR COTTON AND WOOL MACHINE KNITTED ITEMS

§ 3290.120b *Schedule B to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of cotton and wool machine knitted items to get an AA-3 preference rating for yarn to make the items listed in this schedule.

(b) *Definitions.* For the purpose of this schedule, (1) "Yarns" means all yarns applicable to machine knitting whether oil, grey, bleached, colored, mercerized, glazed, polished, single, plied, cabled or braided, except yarns made of or containing continuous filament synthetic fiber.

(2) "Cotton yarn" means yarn spun on the cotton system even though it contains wool fiber.

(3) "Worsted yarn" means yarn spun on the Bradford or French Systems.

(4) "Woolen yarn" means yarn containing wool fiber, and spun on the woolen system.

(c) *Special requirements for obtaining priorities assistance.* (1) Separate applications must be filed for each section of Preference Rating Schedule I. For example, a manufacturer who makes both underwear and outerwear files one application for all items under section B—Underwear, and another application for all items for which he applies under section C—Outerwear. Four copies of form WPB-3732 (revised) should be filed for each section in accordance with the rules stated in paragraph (c) of Order M-328B.

(2) The quantity of yarn for which a manufacturer may apply for priorities assistance for the production of any item or combination of items under a single section of this schedule is limited to the following amount which is called his "yarn eligibility". He must compute the total poundage of yarns as defined in paragraph (b) (1) he consumed in the base period in the production of all articles in a single class of knit goods (that is, either hosiery, underwear or outerwear), whether or not the articles are included in the relevant section of this

schedule. He then must deduct the poundage to be used to fill rated orders for all articles in that class in the quarter for which he requests priorities assistance. The remainder is his "yarn eligibility". The applicant must state under the "Remarks" section of his application form WPB-3732 (revised), the poundage of yarns he consumed in the base period in the production of that class of knit goods, and the total poundage of yarn to be used to fill rated orders in the quarter for which he applies.

(3) In making application on form WPB-3732 (revised), each base period manufacturer must apply with respect to each item for which application is made, as follows:

(i) He must apply for yarn for each price of the item at which he produced it in the base period, irrespective of weight or style (except for heavyweight underwear, where he must apply for each price for each weight he made) unless the facilities utilized for the production of the item at a particular price in the base period are devoted to the production on orders received from Government Procurement Agencies or have been sold or otherwise disposed of. When such facilities are no longer available the applicant must explain it in the "Remarks" section of form WPB-3732 (revised).

(ii) The quantity of an item for which application is made at each price shall be in the same proportion to the total quantity of the item applied for as the quantity produced at each similar price in the base period was to his total production of the item in the base period. For example, if an applicant made in the base period 300 dozen girls' sweaters, of which 100 dozen (or $\frac{1}{3}$) were priced at \$11.50 per dozen, 100 dozen (or $\frac{1}{3}$) at \$15.75, and 100 dozen (or $\frac{1}{3}$) at \$21.00, and he wishes to apply for girls' sweaters under this program, $\frac{1}{3}$ of whatever total quantity he applies for must be at each of these base period prices. To base period prices may be added any increase subsequently granted by the Office of Price Administration.

(iii) The whole or any part of an application for an item may be shifted from a higher to a lower price than required under the above rule, but not from a lower to a higher price unless the weighted average price of the total number of units applied for is at or below the weighted average price of the total number of units of that item delivered in the base period.

(iv) In reporting production by price on form WPB-3732 (revised), items sold as seconds or as close-outs shall be reported under the price it was intended they would be sold when produced.

(v) Items in this schedule not included in a category of O. P. A. Supplementary Order 108, are exempt from the provisions of this paragraph (c) (3) and the provisions of paragraph (h).

(4) A base period manufacturer who files form WPB-3732 (revised) for the third calendar quarter of 1945 by July 21, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of yarn for delivery in that quarter for incorporation into the items for which application is made. He may do

so only for an item he made in the base period and only for 66 $\frac{2}{3}$ % of the quantity of yarn applied for with respect to any item. Yarn purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on Form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant. Base period manufacturers of heavyweight knit underwear and men's cotton work socks who have applied an AA-3 rating for the purchase of yarn for delivery in the third quarter of 1945 under Directions 14 or 17 to Order M-328 may not also apply that rating under this paragraph for the items covered by those directions.

(5) Manufacturers who did not produce in the base period the items applied for on form WPB-3732 (revised) may not use any preference ratings under this schedule until the War Production Board has assigned them a quota on that form.

(6) Manufacturers who did not produce the item in the base period must state in the "Remarks" section on form WPB-3732 (revised) the assortment of sizes which he proposes to produce for each size range applied for.

(d) *Grants of priorities assistance.* Grants to base period manufacturers will be made pro rata to the extent that yarn is available, based upon the quantity applied for for each item. Persons who are not base period manufacturers for the particular items applied for, but who have yarn eligibility under the rules stated in paragraph (c) (2) for the class in which the items applied for belongs, will also be granted assistance pro rata on the basis of the quantity applied for, if they comply with the provisions of paragraph (c) (6) of Order M-328B and paragraph (e) of this schedule.

(e) *Pricing for other than base period manufacturers.* Applications of persons other than base period manufacturers for priorities assistance under this schedule will be granted only if the price at which the item will be sold is at or below the weighted average price for applicants who are base period manufacturers, unless the facilities are needed to meet the quantitative requirements of the program. In this case such applications will be considered on the basis of next higher price increments above the average price of the base period manufacturer applicants.

(f) *Priorities assistance for component parts.* Persons applying for priorities assistance under this schedule may apply for cotton or rayon fabrics, ribbons, tapes, braids or stays, sewing thread and buttons in quantities needed for incorporation into the number of units for which priorities assistance is requested. Applications for cotton materials shall be made on form WPB-2842 filed with the Textile, Clothing and Leather Bureau, War Production Board, Washington 25, D. C., and for rayon materials and buttons on form WPB-541, filed with the Textile, Clothing and

Leather Bureau, War Production Board, Washington 25, D. C. Such applications will be approved to the extent of available materials and to the extent that allocations are made for the production of items. A base period manufacturer who files forms WPB-2842 and WPB-541 for the third calendar quarter of 1945 by August 31, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton or rayon fabrics, ribbons, tapes, braids or stays and buttons (but not thread) for delivery in that quarter for incorporation into the items for which he has made application on form WPB-3732. He may do so only for 66 $\frac{2}{3}$ % of the quantity of each of these components for which application was made. Components purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted on forms WPB-2842 and WPB-541. If the applicant does not receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(g) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by an agency of the U. S. Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 (revised) for priorities assistance to manufacture items listed in this schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(h) *Special rules for weighted average price of items.* For each manufacturer who has been assigned a rating under this schedule for the third quarter of 1945 for any item, the weighted average price of the total number of units of that item which he makes in that quarter may not be higher than the weighted average price of the total number of units of that item for which he was assigned a rating under this schedule. This paragraph covers all items listed on this schedule, whether made from yarn obtained with ratings assigned under this schedule or obtained without ratings, except items made for direct or ultimate delivery to the Army, Navy, Maritime Commission or War Shipping Administration. Manufacturers unable to comply with this paragraph may appeal for relief under the provisions of paragraph (1) of Order M-328B.

(i) [Deleted Sept. 10, 1945.]

(j) *This schedule expires September 30, 1945. Schedule B to Order M-328B shall expire September 30, 1945.*

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

PREFERENCE RATING SCHEDULE NUMBER 1

[Applicants shall submit separate applications for items in each section (A, B, and C) of this schedule. Where more than one category of apparel is included in an item, applications for each category must be listed separately. For example, Item B-15 covers women's vests, pants and bloomers. Vests should be applied for on a separate line from pants, etc.]

NOTE: Section A amended Sept. 10, 1945.

SECTION A—HOSIERY

Item No.	Items	Sizes	Yarns	Item No.	Items	Sizes	Yarns
<i>Infants' and children's hosiery</i>				<i>Women's hosiery</i>			
A-1	Infants' long ribbed hose.....	3-6½	Cotton.	A-18	Women's full fashioned rayon hose, cotton reinforced toe, heel and sole.	8 and above.....	Cotton.
A-2	Infants' half socks.....	4-7½	Cotton.	A-19	Women's full fashioned cotton hose.	8 and above.....	Cotton.
A-3	Infants' anklets.....	4-7½	Cotton.	A-20	Women's full fashioned wool hose.	8 and above.....	Cotton; worsted.
A-4	Boys' half socks—boys' crew socks.	7-12	Cotton.	A-21	Women's full fashioned rayon hose (white and black only), with cotton welt and cotton reinforced toe, heel and sole.	8 and above.....	Cotton.
A-5	Boys' golf hose.....	7-12	Cotton.	A-22	Women's seamless rayon hose.	8 and above.....	Cotton.
A-6	Children's ¾ and long ribbed hose.	6-10½	Cotton.	A-23	Women's seamless cotton hose.	8 and above.....	Cotton.
A-7	Children's and misses' anklets.	6-10½	Cotton.	A-24	Women's seamless cotton ribbed hose.	8 and above.....	Cotton.
<i>Men's hosiery</i>				A-25	Women's seamless wool hose.	8 and above.....	Cotton; worsted.
A-8	Men's half hose, all cotton body.	9½ and above.....	Cotton.	A-26	Women's seamless rayon hose (white and black only), with cotton welt heel and toe.	8 and above.....	Cotton.
A-9	Men's half hose, all rayon body.	9½ and above.....	Cotton.	A-27	Women's anklets.....	8 and above.....	Cotton.
A-10	Men's half hose, cotton and rayon body.	9½ and above.....	Cotton.	A-28	Women's footlets.....	8 and above.....	Cotton.
A-11	Men's half hose, wool body.	9½ and above.....	Cotton; woolen.				
A-12	Men's slack socks, all cotton body.	9½ and above.....	Cotton.				
A-13	Men's slack socks, all rayon body.	9½ and above.....	Cotton.				
A-14	Men's slack socks, cotton and rayon body.	9½ and above.....	Cotton.				
A-15	Men's slack socks, wool body.	9½ and above.....	Cotton; woolen.				
A-16	Men's cotton work socks.....	9½ and above.....	Cotton.				
A-17	Men's wool work socks.....	9½ and above.....	Cotton; woolen.				

NOTE: Section B amended Sept. 10, 1945.

SECTION B—UNDERWEAR

B-1	Men's heavy unionsuits 9 pounds and heavier.	34 and up incl. outsizes.	Cotton; woolen.	B-15	Women's vests, pants and bloomers (cotton) except tuckstitch.	34 and up incl. out-sizes.	Cotton.
B-2	Boys' heavy unionsuits 6 pounds and heavier.	6-16.....	Cotton; woolen.	B-16	Women's tuckstitch vests and pants.	34 and up incl. out-sizes.	Cotton.
B-3	Men's light unionsuits.....	34 and up incl. outsizes.	Cotton.	B-17	Women's and Misses' cotton slips.	34 and up incl. out-sizes.	Cotton.
B-4	Boys' light unionsuits.....	6-16.....	Cotton.	B-18	Children's heavy unionsuits.	2-16.....	Cotton; woolen.
B-5	Men's heavy shirts and drawers 7 pounds and heavier as to shirts, drawers and same weight fabrics.	30 and up incl. outsizes.	Cotton; woolen.	B-19	Children's light unionsuits.	2-16.....	Cotton.
B-6	Boys' heavy shirts and drawers.	6-16.....	Cotton; woolen.	B-20	Children's waist suits.	2-12.....	Cotton.
B-7	Men's medium, light and Balbrigan, long and short shirts and drawers.	30 and up incl. outsizes.	Cotton; woolen.	B-21	Children's vests, pants and bloomers tuckstitch and plain stitch.	2-16.....	Cotton; worsted.
B-8	Boys' medium, light and Balbrigan, long and short shirts and drawers.	6-16.....	Cotton woolen.	B-22	Children's sleepers.....	8-16.....	Cotton.
B-9	Men's athletic shirts.....	34 and up.....	Cotton.	B-23	Children's gowns.....	8-16.....	Cotton.
B-10	Boys' athletic shirts.....	6-16.....	Cotton.	B-24	Infants' long and short sleeve shirts.	1-6.....	Cotton; worsted.
B-11	Men's briefs and shorts.....	28 and up.....	Cotton.	B-25	Infants' bands.....	1-6.....	Cotton; worsted.
B-12	Boys' briefs and shorts.....	18-34.....	Cotton.	B-26	Infants' pants.....	1-6.....	Cotton; worsted.
B-13	Women's heavy unionsuits 6 pounds and heavier.	34 and up incl. out-sizes.	Cotton.	B-27	Infants' diapers.....	0-6.....	Cotton.
B-14	Women's light unionsuits.....	34 and up incl. out-sizes.	Cotton.	B-28	Infants' sleepers.....	0-6.....	Cotton.
				B-29	Infants' gowns.....	0-6.....	Cotton.
				B-30	Corsets and girdles.....	All sizes.....	Cotton.

NOTE: Section C amended Sept. 10, 1945.

SECTION C—OUTERWEAR (MACHINE KNITTED)

C-1	Men's utility sweaters model "D" or "E" of Sch. A, WPB Order L-310 (finished garment to contain not less than 20% wool by weight).	34 and up incl. outsizes.	Worsted woolen; cotton.	C-17	Infants' overall suits, pantie suits and dresses.	1-3.....	Cotton.
C-2	Men's sweaters other than Item C-1.	34 and up incl. outsizes.	Worsted woolen; cotton.	C-18	Infants' booties.....	.....	Cotton; worsted.
C-3	Men's polo, "T" and basque shirts.	34 and up incl. outsizes.	Cotton.	C-19	Infants' shawls, crib blankets, and carriage covers, knitted or woven when made of knitting yarn.	.....	Worsted woolen; cotton.
C-4	Men's sweat shirts.....	34 and up incl. outsizes.	Cotton.	C-20	Infants' legging sets.....	.....	Worsted woolen; cotton.
C-5	Boys' sweaters, jerseys, jackets and pullovers.	8-14.....	Worsted woolen; cotton.	C-21	Infants' and children's mittens.	.....	Worsted woolen; cotton.
C-6	Boys' polo, "T" and basque shirts.	8-14.....	Cotton.	C-22	Children's sweaters.....	2-8.....	Worsted woolen; cotton.
C-7	Boys' sweat shirts.....	8-14.....	Cotton.	C-23	Children's polo, "T" and basque shirts.	2-8.....	Cotton.
C-8	Women's utility sweater coats.	38-46 (for model "E") 38 and up incl. outsizes (for model "F" or "G").	Worsted woolen; cotton.	C-24	Children's overall suits, pantie suits and dresses.	2-8.....	Cotton.
C-9	Women's pullover sweaters.	34-49.....	Worsted woolen; cotton.	C-25	Infants' headwear.....	.....	Worsted woolen; cotton.
C-10	Women's polo, "T" and basque shirts.	34 and up.....	Cotton.	C-26	Children's caps, toques and other headwear.	.....	Worsted woolen; cotton.
C-11	Girls' pullover and coat sweaters and jerseys.	8-14.....	Worsted woolen; cotton.	C-27	Shawls, hoods and other headwear.	.....	Worsted woolen; cotton.
C-12	Girls' polo, "T", basque and other knit shirts.	8-14.....	Cotton.	C-28	Women's and Misses' gloves and mittens (cut and sewed only).	.....	Worsted woolen; cotton.
C-13	Infants' sweaters and sacques.	0-3.....	Worsted woolen; cotton.	C-29	Men's and Boys' gloves and mittens (cut and sewed only).	.....	Worsted woolen; cotton.
C-14	Infants' creeper and rompers.	6, 12, 18 mos.....	Cotton.	C-30	Infants' and children's gloves and mittens (cut and sewed only).	.....	Worsted woolen; cotton.
C-15	Infants' soakers and pilchers.	.....	Worsted Woolen; cotton.	C-31	Replacement wristlets and anklets for over-the-counter sale.	.....	Cotton; worsted.
C-16	Infants' polo shirts.....	1-3.....	Cotton.				

NOTE: Items of special colors or insignia intended for restricted distribution to or use by institutions are not within the scope of this program, and no application may be made for such items.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-895, Amdt. 1 to Stay of Execution]

GILBERTON CO., ET AL.

Gilberton Company, Philip Sparacino, Island Publishing Company, Inc., Eugene Blumenthal, and Howard Cummings, all of New York, are appealing from the provisions of Suspension Order No. S-895 (1010.895), issued August 22, 1945, and have requested a stay on the ground that irreparable harm would be done their business if the suspension order were not stayed. A stay of execution was issued August 29, 1945 which contained only the name of the Gilberton Company. Deputy Chief Compliance Commissioner Bok has directed that the stay be amended to include also the names of Philip Sparacino, Island Publishing Company, Inc., Eugene Blumenthal, and Howard Cummings.

In view of the foregoing; *It is hereby ordered*, That: The stay of execution effective on August 29, 1945, be hereby amended to include Philip Sparacino, Island Publishing Company, Inc., Eugene Blumenthal, and Howard Cummings, and the provisions of Suspension Order No. S-895, issued August 22, 1945, and effective August 29, 1945, are hereby stayed, subject to reinstatement, pending final determination of an appeal or until further order by the Chief Compliance Commissioner, or his Deputy.

This amended stay of execution shall take effect on August 29, 1945.

This amendment shall be effective as of the original date of the stay of execution.

Issued this 7th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16788; Filed, Sept. 7, 1945;
4:18 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-888]

RADIO COMMUNICATIONS CO.

Joseph A. Stiffelman is an individual doing business as Radio Communications Company with its principal place of business at 7033 Manchester Avenue, St. Louis, Missouri. During the period from August 13, 1943, to July 21, 1944, he made thirty sales or transfers of electronic equipment on orders bearing no preference ratings in violation of Limitation Order L-265. During the same period he made twelve sales on orders bearing blanket MRO ratings in violation of Priorities Regulation No. 3. He also failed to keep accurate and complete records in violation of Priorities Regulation No. 1.

These violations were wilful and diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.888 *Suspension Order No. S-888.* (a) Joseph A. Stiffelman shall not for one month from the effective date of this order apply or extend any pref-

erence ratings, regardless of delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Joseph A. Stiffelman shall cancel immediately all preference ratings which he has applied or extended to orders which have not yet been filled, except that if he has extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory) he need not cancel the rating, provided the item when received is promptly delivered to the customer whose rating was extended.

(c) All preference ratings, allotments, and allocations presently outstanding in connection with orders for delivery of materials to Joseph A. Stiffelman or placed prior to one month from the effective date of this order are void and shall not be given any effect by suppliers of Joseph A. Stiffelman or by any other person. This does not apply to material already delivered or in transit for delivery to him on the effective date of this order.

(d) The restrictions and prohibitions contained herein shall apply to Joseph A. Stiffelman, doing business as Radio Communications Company or under any other name, his successors and assigns or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) Nothing contained in this order shall be deemed to relieve Joseph A. Stiffelman from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on the 10th day of September 1945.

Issued this 31st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16888; Filed, Sept. 10, 1945;
4:41 p. m.]

PART 1001—TIN

[General Preference Order M-43, as Amended
Sept. 10, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43.* (a) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order.* Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any alloy which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment), and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1944.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(9) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(d) *General restrictions on use of tin.*

(1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form (including solder containing tin) shall be used in the manufacture of any item or in any process appearing on List A of this order, except as indicated; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in the schedules of this order and then only within the limitations and restrictions specified in the schedule with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* No person shall use any of the tin bearing products on List B of this order in the manufacture or treating of any other product or article except that when any such tin bearing product is listed in a schedule of this order it may be used for the purposes for which it is permitted to be manufactured as specified in the schedule.

(e-1) The restrictions of paragraphs (d) and (e) of the schedules to this order except quota restrictions shall not apply to the manufacture of "Implements of war" produced for the Army or Navy of the United States, U. S. Maritime Commission or War Shipping Administration where the use of tin contrary to those restrictions is required either by

the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the "Implements of war" are being produced.

(f) *Restrictions on deliveries of pig tin.* (1) No person shall deliver or accept delivery of pig tin without a specific allocation in writing by the War Production Board, except that pig tin may be delivered without specific allocation:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)), or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots one long ton or less but not exceeding a total of three long tons to any one customer in the same calendar month. The aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed three long tons in any calendar month. Any person seeking such a delivery shall, at the time of placing his purchase order, designate his end use and file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose.

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authorization of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of this order or any other order or regulation of the War Production Board.

(Name of purchaser)

By -----
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations of pig tin.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination and the amount of pig tin to be delivered or acquired. In general no person shall receive by allocation of the War Production Board during any calendar quarter a quantity of pig tin in excess of the quantity received by him during the base period. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for and reports of pig tin.* Application for allocations of pig tin under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month 2,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin during the next succeeding month.

(i) (1) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the term of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U.S.C. Sec. 80.

(2) *Prohibitions on purchases or sales of certain articles containing tin or tin plate on List A.* The use of tin in the manufacture of articles on List A marked with an asterisk has been prohibited since April 30, 1942. The use of tin plate in the manufacture of such articles is restricted by Schedule VI. No person, for the purpose of resale, shall buy or receive from a manufacturer any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. After February 28, 1945, no person shall sell or deliver any new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, except as authorized in writing by the War Production Board. A person who wishes to secure such authorization shall file by letter in triplicate an inventory report of all new articles of the kinds on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes. For each group of items on List A marked with an asterisk which contain tin plate or tin in any form other than solder used for joining purposes, the letter shall state the quantities owned by him or in his possession on March 1, 1945, the names and addresses of the sellers from whom the purchases were made, and the

date of the purchases. Authorizations will ordinarily be granted except where it appears that the articles were obtained in violation of this paragraph (i) (2). "New article" for the purpose of paragraph (i) (2) means an article which has not been used by an ultimate consumer. A purchaser of new articles for the purpose of resale of the kinds on List A marked with an asterisk may rely on a written certification by his supplier that they contain no tin plate or tin in any form other than solder used for joining purposes, unless the purchaser knows or has reason to believe that the statement is false.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. Forty-five days inventory of pig tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Schedule VI, as from time to time amended.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin, Lead and Zinc Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A—PROHIBITION ON USE OF TIN IN
MANUFACTURE

Pursuant to paragraph (d) (2) and Schedule VI of this order, the use of tin in any form, including semi-finished end products, and of tin plate, in the manufacture of items and for the purposes listed below is prohibited except as indicated; prohibitions against sales or purchases of the articles marked with an asterisk are set forth in paragraph (i) (2) of the order:

*1. Advertising specialties.

*2. Art objects.

3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders.

4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs", paragraph 11).

*5. Britannia metal, pewter metal or other similar tin bearing alloy.

6. Broom wire.

*7. Buckles.

*8. Buttons.

9. Chimes and bells.

*10. Emblems and insignia.

11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks, snap fasteners, and other clothing fasteners.

12. Foil (except as permitted in Schedule I under the item "foil" paragraph 4).

13. Zinc galvanizing.

*14. Household furnishings and equipment.

*15. Jewelry.

16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.

*17. Novelties, souvenirs and trophies.

*18. Ornaments and ornamental fittings.

19. Plating or coating for decorative purposes.

20. Powder (decorative).

21. Refrigerator trays and shelves—all types.

22. Seals and labels.

23. Slot, game and vending machines.

24. Coated paper.

25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).

*26. Toys and games.

27. Tablets, markers and memorials (added to List A Sept. 10, 1945).

28. Hardware, all kinds (added to List A Sept. 10, 1945).

29. Electrical and other fixtures (added to List A Sept. 10, 1945).

30. Braces, handles, levers (added to List A Sept. 10, 1945).

LIST B—PROHIBITION ON USE OF TIN-BEARING PRODUCTS IN MANUFACTURE

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders or for any other items.

2. Tin oxide and other tin chemicals.

3. Solder containing more than 30% tin by weight.

4. Babbitt metal or similar alloys used as babbitt containing more than 10% by weight of tin.

5. Britannia metal, pewter metal or other similar tin bearing alloy.

6. Foil containing more than 1% tin by weight.

7. Copper-base alloy containing more than 1.5% tin by weight.

PERMITTED USES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blasting caps shall be exempt from the limita-

tions, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Schedule VI of this order, may be manufactured as permitted under the provisions of said Schedule VI. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapsible tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 16% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbitt foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 80% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* (a) Tin may be used to coat fluid milk shipping containers.

(b) Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. (c) Any dairy equipment may be retinned. *Provided only,* That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to the quantity used by him for such purposes during the base period.

6. *Kitchen, galley and mess equipment* for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Forest Service of the United States Department of Agriculture or the Veterans Administration. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Schedule VI, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be

used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Alloys containing tin may be taken from the inventories of organ builders to repair or rebuild pipe organs for religious or educational institutions provided alloys containing an equal or greater weight of tin can be salvaged from the repaired or rebuilt pipe organs and returned to said inventories.

12. *Booster metal* for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Veterans Administration. The tin content of such booster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin.

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to retin articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or retin utensils, forks, ladles, basting spoons, strainers, skimmers, colanders, and dishpans containing 21 quarts or more used in the processing or cooking of any food by institutions or by industrial or commercial establishments. (Each retailer of any of the above items shall furnish his supplier with a certification on his purchase order that he will sell such items only to institutions and industrial and commercial establishments and all suppliers shall require such certifications on all purchase orders from retailers. Suppliers must not sell such items to any users thereof except institutions and industrial or commercial establishments.)

16. *Tin pipe and sheet tin* for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. [Deleted May 31, 1945.]

18. *Tin and tin chemicals.* Pig tin may be reprocessed for use as laboratory reagents and may be used in the manufacture of tin chemicals for use as such reagents, for medicinal purposes and also for use in plating processes where tin plating is permitted.

19. The total quantity of pig tin which any person may use during any calendar quarter for the production of any one of the items or for any one of the purposes set forth in this Schedule I shall not exceed the quantity used by him for any such production or for any such purpose during the base period, except in the case of the manufacturer of foil which is controlled by paragraph 4 of this Schedule I.

SCHEDULE II—SOLDERS

(a) No manufacturer or wholesale distributor shall sell or deliver any solder to a wholesale distributor or retailer and no wholesale distributor or retailer shall purchase or accept delivery of any solder unless the purchaser has given to the seller a statement that he will not resell the solder to a user without obtaining from the user the certificate called for below. No manufacturer, wholesale distributor or retailer shall sell or deliver any solder to a user and no user shall purchase or accept delivery of any solder from a manufacturer, wholesale distributor or retailer unless the user has given to the seller the certificate called for below. However, if the solder is in wire form, solid or cord, not to exceed $\frac{3}{32}$ inch in diameter and contains not more than 30% of tin by weight, any person may sell or deliver it to a wholesale distributor or retailer without getting any statement from him and the retailer may sell it to a user without getting any certificate from him.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule II, section ---- of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of this order.

(b) In the manufacture of solder, the tin content by weight shall be limited as follows, according to the purpose for which it is to be used:

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 40% tin by weight may be used for the following:

(a) Ammunition box liners.

(b) Manufacture, maintenance and repair of refrigeration equipment, not including, however, coating such equipment or soldering the seams of ice cans.

(c) Manufacture, maintenance and repair of radio and radar equipment.

(d) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves, excluding manufacture and repair of gas meters which are provided for in paragraph (5) (g) and Schedule V.

NOTE: Subparagraphs (e) and (f) and paragraphs (b) 4, (b) 5, (b) 6, (b) 7, and (b) 8, formerly subparagraphs (a) and (b), and paragraphs (b) 5, (b) 6, (b) 7, (b) 8 and (b) 9, redesignated, Sept. 10, 1945.

(e) Manufacture and repair of all galvanized iron or zinc tanks.

(f) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

4. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed $\frac{3}{32}$ inch in diameter.

(b) Manufacture and repair of tanks (except galvanized and zinc tanks). (Solder containing not more than 38% tin by weight may be used in the manufacture and repair of fuel tanks of more than 20 gallon capacity.)

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators, armatures, electrical equipment and appliances.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters.

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

5. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

(b) Soldering end seams on all solder seamed cans.

6. Solder containing not more than 5% tin by weight may be used for the following:

(a) For soldering side seams in the manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam.

7. Solder containing not more than 30% tin by weight may be used for all other uses not covered above under paragraph (b) of Schedule II, except those uses prohibited by List A, but only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

8. The total quantity of pig tin which any person may use in the manufacture of solder during any calendar quarter shall be limited to 90% of the quantity used by him in the manufacture of solder during the base period.

SCHEDULE III—BABBITT

(a) No manufacturer or wholesale distributor of babbitt shall deliver any babbitt containing more than 10% tin by weight to any wholesale distributor of babbitt and no wholesale distributor of babbitt shall accept delivery from a manufacturer or a wholesale distributor unless he shall have furnished the manufacturer or other wholesale distributor with a statement on his purchase order to the effect that he will not resell such babbitt containing more than 10% tin by weight to any user unless he has received the certificate from such user set forth below. No manufacturer of babbitt or wholesale distributor of babbitt shall deliver any babbitt containing more than 10% tin by weight to any user and no user shall accept delivery of any babbitt containing more than 10% tin by weight from any manufacturer of babbitt or wholesale distributor of babbitt unless the user shall have furnished the manufacturer or wholesale distributor with the certificate set forth below.

No manufacturer of finished bearings containing babbitt metal of more than 10% tin by weight shall deliver such bearings to any

user and no user shall accept delivery of such bearings from the manufacturer unless the user shall have furnished the manufacturer with the certificate set forth below.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code to the seller and to the War Production Board, that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule III, section ---- of General Preference Order M-43, or is to be incorporated in an "Implement of war" and the tin content of the material has been definitely specified in accordance with paragraph (e-1) of said Order M-43.

(b) In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purpose for which it is to be used:

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry; *Provided*, In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Manufacture, repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight and then only to the extent that substitution of either a less critical material or one of lesser tin content has been proven impracticable in service.

6. For all other purposes—not more than 10% tin by weight, and then only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable. Only secondary tin shall be used.

7. The total quantity of pig tin which any person may use in the manufacture of babbitt metal or other similar alloys used as babbitt during any calendar quarter shall be limited to 80% of the quantity used by him in the manufacture of babbitt or other similar alloys used as babbitt during the base period.

SCHEDULE IV—BRASS AND BRONZE

A. CAST ALLOYS

(a) No person shall cast or have any person cast for him any copper base alloy containing tin for other than the specific purposes listed below. The tin content of any such alloy shall not be more than the amount specified for each purpose.

Maximum percent tin content

1. For the manufacture of high ratio

worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings.

	Maximum percent tin content
2. For the manufacture of piston rings for locomotives and for airbrake equipment.....	20
3. For use as bearings.....	8
4. For all other castings, except for items under List A, and no pig tin may be used to produce them.....	6
5. For production of or use in items under List A, provided that the tin used shall not be derived from pig tin, secondary tin or by addition of other tin bearing alloys.....	1.5

(b) The total quantity of pig tin which any person may use in the production of copper base cast alloys during any calendar quarter shall be limited to 60% of the quantity used by him in the production of copper base cast alloys during the base period.

(c) Any person receiving copper base alloy castings containing tin shall furnish his supplier with a certificate on his purchase order stating the end use of such castings. All suppliers shall require such a certificate. If the end use is not permitted by M-43, and the purchaser has no special authorization from the War Production Board, the supplier shall refuse the order.

B. WROUGHT ALLOYS

(a) No person shall purchase or use and no supplier shall sell copper base wrought alloys containing tin for other than the specific purposes listed below. The tin content of any such alloy shall not be more than the amount specified for each purpose.

	Maximum percent tin
1. Fourdrinier wire.....	8.0
2. All uses on shipboard for functional parts, except condenser tube.....	5.8
3. All uses for functional parts for power plants and industrial electric distribution equipment carrying more than 1000 amperes.....	5.8
4. All railroad and street railway equipment for functional parts.....	5.8
5. Functional springs (excluding clips, jaws, fasteners, clamps, etc.).....	5.8
6. The manufacture of discs and diaphragms for industrial control instruments, bronze welding rods, and rifle nuts in air hammers.....	10.0
7. All uses in functional parts for commercial aircraft.....	5.8
8. Condenser tube.....	1.2
9. All other uses, provided that no pig tin shall be used in the manufacture of copper base wrought alloys for such uses.....	1.5

(b) The total quantity of pig tin which any person may use in the production of copper base wrought alloys during any calendar quarter shall be limited to 70% of the quantity used by him in the production of copper base wrought alloys during the base period.

(c) Except as specifically authorized in writing by the War Production Board, no person other than a brass mill shall melt or process (1) brass mill scrap containing in excess of 1.5% tin or (2) termination inven-

ories of brass mill products containing in excess of 1.5% tin and which are being disposed of as scrap, nor shall any person dispose of either of such materials in any way other than by delivery to a brass mill.

(d) Any person receiving wrought copper base alloys shall furnish his supplier with a certificate on his purchase order stating that he will use such alloy only as permitted by General Preference Order M-43, or that he will not dispose of said alloy without obtaining such a certificate from the person to whom he disposes of said alloy. All suppliers shall require such statements on all purchase orders.

SCHEDULE V—USE OF TIN TO REPAIR GAS METERS

(a) *Restrictions on use of tin.* Solder containing not more than 38% tin by weight may be used for the repair of gas meters. The solder and other tin alloys used in such repair must be derived from alloys reclaimed from old meters brought in for repair or salvage.

SCHEDULE VI—TIN PLATE, TERNE PLATE AND TERNE METAL

(a) *Definitions.* For the purposes of this schedule:

(1) "Tin plate" means steel sheets coated with tin (including primes, seconds, and waste-waste) and includes:

(i) "Electrolytic tin plate," in which the tin coating is applied by electrolytic deposition, and

(ii) "Hot dipped tin plate," in which the tin coating is applied by immersion in molten tin.

(2) "Terne plate" means steel sheets coated with terne metal (including primes, seconds, and waste-waste) and includes:

(i) "Short ternes," meaning steel sheets coated with terne metal on tin mill coating machines, and

(ii) "Long ternes," meaning steel sheets coated with terne metal on sheet mill coating machines.

(3) "Reconditioned tin plate or terne plate" means damaged tin plate or terne plate which has been put into useable condition by recoating.

(4) "Terne metal" means the lead-tin alloy used as the coating for terne plate, but does not include lead recovered from secondary sources which contains not more than 2½% residual tin.

(5) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(b) *Restrictions on use of tin plate and terne plate.* Except to the extent specified in List C:

(1) No person shall use tin plate or terne plate in the production of any item or part thereof.

(2) No person shall use hot dipped tin plate with a pot yield in excess of 1.25 pounds per base box except in gauges heavier than 112 pounds per base box, which have been coated with the minimum practicable weight of tin.

(3) No person shall use electrolytic tin plate with a coating (as determined by average spot coating tests) in excess of .50 pound per base box.

(4) No person shall use short ternes with a pot yield in excess of 1.30 pounds per base box.

(5) No person shall use long ternes with a pot yield in excess of 4 pounds per base box.

(c) *Restrictions on use of terne metal.* (1) No person shall use terne metal containing over 15% tin in tin mill coating machines.

(2) No person shall use terne metal containing over 10% tin in sheet mill coating machines.

(d) *Restrictions on production, sale and delivery of tin plate and terne plate.* No person shall produce, sell, or deliver tin plate or terne plate to or for the account of any person if he knows or has reason to believe that such material will be used in violation of the terms of this order or any other or further order or direction of the War Production Board.

(e) *Exceptions.* The provisions of paragraph (b) shall not apply to the materials listed in List D, except that no person shall use such materials in the production of (1) any items, or parts thereof, other than those items in the production of which iron or steel is permitted by other existing or future orders of the War Production Board or (2) any article on List A of this order, except as indicated therein.

(f) *Substitution of material with lower tin content.* Wherever List C permits use of tin plate or terne plate in any grade, tin plate or terne plate coated with less tin per base box may be used.

(g) *Applicability of other orders.* Insofar as any other order of the War Production Board may have the effect of limiting to a greater extent than herein provided the use of any material in the production of any item, the limitation of such order shall be observed.

(h) The total quantity of pig tin which any person may use in the production of tin plate or terne plate for the purposes set forth in this Schedule VI during any calendar quarter shall be limited to 95% of the quantity used by him for such production during the base period.

LIST C

Permitted use	Permitted materials	Maximum permitted coating of tin or of terne metal (per single base box)
1. Cans.....	As specifically authorized by or pursuant to Conservation Order M-81 as amended.	
2. Closures.....	As specifically authorized by or pursuant to Limitation Order L-103-b, as amended.	
3. Baking pans for institutions and commercial bakers (Each retailer of such pans shall furnish his supplier with a certificate on his purchase order that he will sell such pans only to institutions and commercial bakers and all suppliers shall require such certificates on all purchase orders from retailers. Suppliers must not sell such pans to any users except institutions and commercial bakers).	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	1.25 lbs. per base box. 0.50 lb. per base box.

LIST C—continued

Permitted use	Permitted materials	Maximum permitted coating of tin or ofterne metal (per single base box)
4. Brushes, power driven.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
5. Carbide non-explosive emergency lights.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
6. Chaplets, skimgates and tin forms for foundry use.....	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	1.25 lbs. per base box. 0.50 lb. per base box.
7. Cheese vats.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
8. Component parts for: Internal combustion engines including air cleaners, cooling systems, fuel systems, and lubricating systems, but only where less essential material is impractical because of corrosion or solderability.	Hot dipped tin plate..... Reconditioned tin plate.....	11 lbs. per base box.
9. Cylinder liners for lard and fruit presses.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
10. Dairy ware and equipment, including dairy pails, milk strainer pails, hooded milking pails, milk kettles, setter or creams cans, weigh cans, measures and test ware, bottle conveyors, ice cream freezers, milk filters, receiving tanks, separators, strainers, upper and lower troughs and covers for surface type heaters and coolers, and testing equipment.	Hot dipped tin plate..... Hot dipped tin plate.....	1.25 lbs. per base box. 3.30 lbs. per base box. (2A charcoal).
11. Diamond cutting wheels.....	Electrolytic tin plate..... Reconditioned tin plate.....	0.50 lb. per base box.
12. Dusters and sprayers, hand, for disinfectant and pest control: parts requiring solderable coatings.	Electrolytic tin plate..... Reconditioned tin plate.....	0.50 lb. per base box.
13. Electrical equipment parts requiring solderable coatings.	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
14. (a) Fuel tanks, except for automotive equipment.....	Electrolytic tin plate..... Long ternes..... Reconditioned terne plate.....	0.50 lb. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
(b) Fuel tanks, for automotive equipment.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 6 lbs. per base box.
15. Gas mask canisters.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
16. Gas meters.....	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	3.30 lbs. per base box. (2A charcoal). 0.50 lb. per base box.
17. Heat exchangers.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
18. Integral parts of signal cells—but only for current collectors and baskets.	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
19. Lining of drying chambers for milk and egg dehydration.	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	1.25 lbs. per base box. 0.50 lb. per base box.
20. Maple syrup evaporators.....	Hot dipped tin plate..... Reconditioned tin plate.....	11 lbs. per base box.
21. Ollers (excluding cans as defined by Order M-81).....	Hot dipped tin plate..... Reconditioned tin plate.....	11 lbs. per base box.
22. Oil lanterns.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
23. Safety cans for inflammable liquids.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
24. Textile spinning cylinders, card screens, spools and bobbins.	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	1.25 lbs. per base box. 0.50 lb. per base box.
25. Torpedoes for oil and gas well shooting.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
26. Vaporizing liquid fire extinguishers.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.25 lbs. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
27. Wick holders for oil stoves.....	Short ternes..... Long ternes..... Reconditioned terne plate.....	1.30 lbs. per base box. 4 lbs. per base box.
28. Closures for steel drums.....	Hot dipped tin plate..... Electrolytic tin plate..... Short ternes..... Long ternes.....	1.25 lbs. per base box. 0.50 lb. per base box. 1.30 lbs. per base box. 4 lbs. per base box.
29. Repair parts for domestic laundry equipment.....	Hot dipped tin plate..... Electrolytic tin plate..... Reconditioned tin plate.....	1.25 lbs. per base box. 0.50 lb. per base box.
30. Articles to be purchased by or for the account of the Army and Navy of the United States, the United States Maritime Commission, the War Shipping Administration and the Veterans Administration.	As specified (including performance specifications).	

LIST D

- Hot dipped tin plate waste-waste.
Electrolytic tin plate waste-waste.
Short terne waste-waste.
- Hot dipped tin plate, electrolytic tin plate, and terne plate where total annual consumption of all these grades does not exceed 100 base boxes.

[F. R. Doc. 45-16885; Filed, Sept. 10, 1945; 4:41 p. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Revocation of Appendix IV]

Appendix IV (Tire Allotment Plan) of Rubber Order R-1 and all authorizations and directions issued under it are revoked. This revocation does not affect any liabilities incurred for violation of Appendix IV or of actions taken by the War Production Board under it.

The acquisition of tires and tubes by vehicle manufacturers for original equipment is governed by Rubber Order R-1. The acquisition of tires and tubes for replacement purposes is governed by Rubber Order R-1 and OPA Ration Order 1-A.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 7th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16787; Filed, Sept. 7, 1945; 4:18 p. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 6, Revocation of Schedule A]

Section 3175.6a. *Schedule A to CMP Regulation 6*, including Appendix I and Appendix II to that schedule, is hereby revoked. This revocation does not affect any liabilities incurred for violation of the schedule or of actions taken by the War Production Board under the schedule. Builders who have been authorized to do construction subject to the restrictions of Schedule A to CMP Regulation 6 may continue construction without regard to the provisions formerly contained in the schedule, except where some other order of the War Production Board contains restrictions on the use of materials or equipment. For example, the restrictions on the use of tin contained in M-43 are still applicable to the use of tin or tin products in construction. Priorities assistance previously assigned on Form GA-1456 to construction projects for machinery or equipment may only be applied or used in accordance with the provisions of Appendix II of Schedule A in effect at the time of the assignment of

the priorities assistance. Priorities assistance for equipment for projects approved after this revocation will only be assigned in accordance with Priorities Regulation 28.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16930; Filed, Sept. 11, 1945;
11:18 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Preference Order M-109 as Amended
Sept. 11, 1945]

ROUGH DIAMONDS

§ 3286.26 *General Preference Order M-109—(a) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations as amended from time to time.

(b) *Definitions.* As used in this order:

(1) "Rough diamond" means any diamond material that has not been cut and polished as a gem stone, and, unless otherwise stated, shall include rough diamonds incorporated in an unused tool or other industrial device.

(2) "Industrial diamond" means any rough diamond which is not a cuttable rough diamond as defined in subparagraph (3) below. It includes crushing bortz and diamond powder.

(3) "Cuttable rough diamonds" means rough diamonds for gem purposes imported in bulk and/or in series provided by primary distributors or rough diamonds selected from such series. General run-of-mine shipments or mixed assortments acquired on the foreign open market will be presumed to contain a proportion of industrial diamonds and are subject to the provisions of General Imports Order M-63.

(4) "Crushing bortz" means the lowest grade of rough diamonds, useful only after having been crushed into powder.

(5) "Dealer" means any person whose principal business, as far as concerns rough diamonds, is the buying and selling of rough diamonds, and who only incidentally, if at all, incorporates such diamonds in tools or other industrial devices, or cuts, polishes, or otherwise consumes them.

(6) "Toolmaker" means any person whose principal business, as far as concerns rough diamonds, is the manufacture of tools or other industrial devices containing diamonds, and who only incidentally, if at all, consumes in other ways, or sells rough diamonds.

(7) "Consumer" means any person, other than a dealer or toolmaker who uses rough diamonds, either loose or incorporated in tools or other industrial devices, by applying them to some busi-

ness or industrial use. The term does not include a trustee or agent who holds rough diamonds for the account of some other person, unless such other person is a consumer; nor does it include any person who holds rough diamonds for investment or speculative purposes.

(c) *Restrictions on sales and transfers of loose industrial diamonds and of cuttables emanating from industrial goods—(1) Restrictions on sales of loose industrial diamonds.* Except as authorized in writing by the War Production Board no person shall purchase or otherwise acquire title to or sell or otherwise transfer to any one purchaser, loose industrial diamonds in a quantity of 1000 carats or more in any calendar month. Application for such authorization shall be made by the seller on Form WPB-751 which shall be executed by both the purchaser and the seller and filed in quadruplicate. If the sale is approved, two copies of the executed form will be returned to the seller, one to be retained by him, the other to be delivered to the purchaser at the time the transaction is closed.

(2) *Restrictions upon sale of crushing bortz and diamond powder.* Except as authorized in writing by the War Production Board, no person shall purchase, sell or transfer crushing bortz in any quantity or diamond powder in a quantity exceeding 250 carats per month for the purpose of cutting and polishing gem diamonds. Application for such authorization shall be filed with the War Production Board on Form WPB-751.

(3) *Restrictions upon sales of cuttables emanating from industrial goods.* Except as authorized in writing by the War Production Board no person shall sell, transfer or use any diamond as a cuttable stone or for the purpose of making a gem therefrom which he acquired as an industrial stone. If the stone was acquired as part of an allotment, assortment or series of industrial stones it shall be conclusively presumed that the stone is an industrial stone. Application for such authorization shall be filed with the War Production Board on Form WPB-751.

(d) *Reports of stocks.* Every dealer and toolmaker who at any time during the calendar quarter ending September 30, 1945, or at any time during any calendar quarter thereafter has title to 1000 carats or more of industrial diamonds including those incorporated in any unused tool or other device shall file Form WPB-749 in duplicate with the War Production Board on or before the 15th day of the month succeeding the end of the quarter.

(e) *Report of imports.* Every importer of industrial diamonds shall, within ten

days after receipt of each imported shipment, file a report with the War Production Board on Form WPB-751 in duplicate giving all of the information required thereby to be furnished by the importer. Such report shall give the name of, but need not be signed by the person from whom such industrial diamonds were imported. Imports of industrial diamonds are subject to the provisions of General Imports Order M-63.

(f) *Reports of sales and transfers—(1) Reports of sale of loose industrial diamonds in amounts less than 1000 carats.* Every person who makes any sale or transfer of loose industrial diamonds in a quantity of less than 1000 carats to any one person in any calendar month shall file with the War Production Board on or before the 15th day of the month succeeding the month in which the sale or transfer occurred, Form WPB-750 in duplicate, covering all such sales and transfers.

(2) *Reports of sales of industrial diamonds in tools in amounts of 250 carats or more.* Every person who makes any sales or transfers of diamond tools, wheels, bits and other devices into which have been incorporated industrial diamonds aggregating 250 carats or more in any calendar month, shall file with the War Production Board on or before the 15th day of the month succeeding the month in which the sales or transfers occurred, Form WPB-750 in duplicate, covering all such sales and transfers. Sales of diamond tools, wheels, bits and other devices into which have been incorporated industrial diamonds aggregating less than 250 carats in any calendar month need not be reported.

NOTE: Paragraphs (g) to (j), inclusive, formerly (h) to (k), inclusive, redesignated Sept. 11, 1945. Former paragraphs (g) and (l) deleted Sept. 11, 1945.

(g) *Federal Reports Act of 1942.* The reporting requirements of this order have received the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal.

(i) *Communications and reports.* All reports, applications, and certificates required to be filed under this order and all communications concerning this order shall be addressed to: War Production Board, Empire State Building, New York, New York, Ref: M-109.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction

may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16932; Filed, Sept. 11, 1945;
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Revocation of Direction 21]

PRODUCTION AND DISTRIBUTION OF COTTON AND SYNTHETIC FIBER TIRE AND FUEL CELL CORD

Direction 21 to Conservation Order M-328 is hereby revoked. This revocation does not affect any liabilities incurred for violation of the direction or of actions taken by the War Production Board under the direction.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16934; Filed, Sept. 11, 1945;
11:18 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328, Direction 25]

EXPIRATION OF INDIVIDUAL INSTRUMENTS TO NAMED PERSONS, ISSUED PRIOR TO JULY 1, 1945, UNDER PARAGRAPH (C) OF ORDER M-328, AND CERTAIN OTHER INDIVIDUAL INSTRUMENTS WITH RESPECT TO MANUFACTURE, SALE, DISTRIBUTION, OR DELIVERY OF ITEMS ON SCHEDULE A OF ORDER M-328

The following direction is issued pursuant to Conservation Order M-328:

(a) *Expiration of certain individual instruments addressed to named persons.* All directions, authorizations, production or delivery schedules, and other instruments, dated before July 1, 1945, and addressed to named persons and requiring or permitting them to take specific action with respect to the manufacture, sale, distribution or delivery of any item on Schedule A of Conservation Order M-328, including but not limited to directions issued under paragraph (c) of that order, shall expire at the end of September, 1945, unless any such instrument expires sooner by its terms, or is otherwise revoked before that time. This rule does not apply to instruments listed in paragraph (b).

(b) *Instruments not affected.* This direction does not affect any of the directions, authorizations, production or delivery schedules, or other instruments described below:

(1) Those issued under any of the following orders, or any schedules, supplements or published directions to any of them:

- L-99 —Operation of Looms for Cotton Broad Woven Fabric Production
- M-47 —Burlap and Burlap Products
- M-51 —Pigs' and Hogs' Bristles and Bristle Products

M-84 —Cordage Fiber, Cordage Yarn, Cordage and Hemp Fiber

M-85 —Kapok

M-217 —Footwear

M-277 —Vegetable Tanning Materials

M-310 —Hides, Skins and Leather

M-312 —Coir Yarn and Products

M-317 —Cotton Textile Distribution and Sale Yarn Production

M-317A—Cotton Fabric Preference Ratings and Restrictions

M-328B—Special Programs: Textiles, Clothing and Related Products

(2) Those assigning preference ratings.

(3) Those granting appeals from or relaxing restrictions in any order or regulation; or

(4) "Suspension orders", "consent orders", and other instruments, such as quota readjustment orders, resulting from compliance action.

(c) This direction does not affect any liabilities incurred for violation of the instruments before their expiration. The manufacture, sale, distribution and delivery of the items covered by these instruments remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 11th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16935; Filed, Sept. 11, 1945;
11:18 a. m.]

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS

[Territorial Consumer Goods Reg. 1, Amdt. 1 to Supp. 4]

CERTAIN IMPORTED CHINA, GLASSWARE, WALLETS, TOYS, AND MISCELLANEOUS PERSONAL AND HOUSEHOLD ACCESSORIES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement 4 to Territorial Consumer Goods Regulation 1 is amended in the following respect:

Section 10, Table A, paragraph (c), is amended by deleting the classification "7. Smoker's articles: (except cigars, cigarettes and tobacco)," including all items listed thereunder.

This amendment shall become effective as of June 15, 1945.

	Maximum prices for sales to wholesalers		Maximum prices for sales to shoe repairmen		Unit of sales to wholesalers and shoe repairmen	Maximum prices to consumers for heels attached by shoe repairmen (per pair)	
	Brown	Black	Brown	Black		Brown	Black
11. Ski heels, by thickness:							
3/8".....	\$1.99	\$1.69	\$2.65	\$2.25	12 pairs.....	\$0.60	\$0.55
5/8".....	2.18	1.88	2.90	2.50	12 pairs.....	.65	.60
6/8".....	2.55	2.25	3.40	3.00	12 pairs.....	.70	.65

This amendment shall become effective September 17, 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16904; Filed, Sept. 11, 1945; 11:08 a. m.]

19 F.R. 10494, 10 F.R. 2025.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16906; Filed, Sept. 11, 1945;
11:08 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 201, Amdt. 13]

ADDITION OF MUNICIPAL TAXES TO PRICES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1418.107b is added to read as follows:

§ 1418.107b *Addition of municipal taxes.* The seller may add to the applicable maximum prices established by this regulation, or by any order issued or to be issued under it, an amount not in excess of any excise or sales tax imposed in the Virgin Islands, if the seller has paid or incurred such tax, and if he separately states the amount of the tax in sales to all purchasers.

This amendment shall become effective as of August 1, 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16905; Filed, Sept. 11, 1945;
11:08 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 200, Amdt. 22]

RUBBER HEELS AND SOLES IN THE SHOE REPAIR TRADE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In § 1315.1424, item 11 of Table I-A is amended to read as follows:

PART 1305—ADMINISTRATION

[Supp. Order 133]

INDIVIDUAL COMPANY ADJUSTMENT PROVISION FOR MANUFACTURERS OF CERTAIN PRODUCTS

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.

1. Purpose.
2. To what products, and to the manufacturers of what products this order applies.
3. What a manufacturer must show to qualify for an adjustment under this order.
4. Adjustment of ceiling prices.
5. Reports of operations after adjustment.
6. Ceiling prices of purchasers for resale.
7. How to apply for an adjustment under this order.
8. Adjustable pricing.
9. Relationship to other adjustment provisions.
10. Delegation of authority.
11. Orders modifying this supplementary order.

Appendix A—List of maximum price regulations.

AUTHORITY: § 1305.161 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

SECTION 1. Purpose. The purpose of this order is to authorize individual adjustments in the ceiling prices of products produced by manufacturers who would otherwise be compelled to conduct their entire business operations at a loss. However, the order is limited in its application to situations in which such adjustments will not impair the established structure of ceiling prices in the industry and are consistent with the purposes of the stabilization laws.

SEC. 2. To what products, and to the manufacturers of what products, this order applies. This order applies only to manufacturers of products the ceiling prices of which are established under the maximum price regulations listed in Appendix A. Adjustments may be made under this order only in ceiling prices for these products.

SEC. 3. What a manufacturer must show to qualify for an adjustment under this order. To qualify for an adjustment under this order a manufacturer must show each of the following:

(a) That unless an adjustment of his ceiling price or prices is authorized he will be compelled to conduct his entire business operations at a loss. As a part of this showing, the manufacturer must submit with his application a profit and loss statement for the most recent period, not less than three months in length, for which such a statement can be prepared. In no case will an adjustment be authorized under this order unless this statement discloses an actual loss during this period on the manufacturer's entire business operations or unless the manufacturer demonstrates by clear and con-

vincing evidence, first, that changes in conditions which have already taken place will cause him immediately to incur such a loss and, second, what the minimum amount of this loss will be.

To aid the Office of Price Administration in determining whether an applicant has made the showing required by this section, a manufacturer shall, where he was in operation during such periods, further submit with his application a profit and loss statement for the fiscal years ending in 1941 and 1944 and for any periods, annually or quarterly, subsequent to the 1944 fiscal year. If the net profits or loss as a percentage of sales during the accounting period on which the application is based under this paragraph differ significantly from those during the applicant's most recent twelve months operation for which operating statements are available, the applicant must clearly establish that the results during the period on which the application is based are in fact representative and are not attributable to factors (1) through (7) of paragraph (b).

(b) That the loss shown by the statement or other evidence submitted in accordance with paragraph (a) and for which the manufacturer seeks an offsetting adjustment in his ceiling prices is due to factors other than any of the following:

- (1) To seasonal, non-recurring or temporary factors affecting his operations; or
- (2) To a reduction in volume of production below the normal economical capacity of his plant; or
- (3) To the payment of unlawful wages or excessive salaries or of unlawful or excessive prices for materials; or
- (4) To the payment of voluntary wage increases instituted pursuant to section 1 of Title IV of Executive Order 9599 (August 18, 1945); or
- (5) To the incurring of factory overhead costs or of selling, administrative and general costs which are abnormally high relative to sales or other costs unless such excess is demonstrated by clear and convincing evidence to have been unavoidable in the exercise of sound business judgment and management; or
- (6) To any transactions with affiliated corporations or businesses which either are of a kind which would not result from arm's-length bargaining or differ from the transactions which the manufacturer has customarily had with such affiliated corporations or businesses; or
- (7) To provisions for war reserves or other contingencies.

The Office of Price Administration will not, under this order, give consideration to any amount of loss arising because of the preceding seven factors.

SEC. 4. Adjustment of ceiling prices.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, adjustments under this order will take the form of a uniform percentage increase in the ceiling prices of all products manufactured by the applicant which are subject to adjustment under section 2 of this order. If all of the products manufactured by the applicant are subject to adjustment under section 2, this increase will be in an amount sufficient to com-

pensate for the prospective loss established by the applicant in accordance with section 3, assuming that sales will be made at ceiling prices and in the same volume and proportions of products as was assumed in establishing the prospective loss. If only a part of his products are subject to adjustment the increase will be in an amount sufficient to compensate for that proportion of the applicant's total loss which his sales of products subject to adjustment bear to his total sales of all products (assuming that sales will be made at ceiling prices and in the same volume and proportions of products as was assumed in establishing the prospective loss).

(b) In lieu of providing for a uniform increase in all the applicant's ceiling prices, in accordance with paragraph (a), the Administrator or his authorized representative may provide for increases of greater amounts on certain products offset by lesser increases or no increases on other products, if in his judgment such action will result in a price structure which is better balanced or in better accord with the purposes of the stabilization program.

(c) **Denial of adjustment.** Ceiling price adjustment may be denied, notwithstanding the other provisions of this order, in any case where the Price Administrator or his authorized representative determines that the granting of an adjustment would unsettle established dollar and cent maximum prices at subsequent levels of distribution, result in increased prices for raw materials not subject to price control, improperly divert raw material supplies from other users, or otherwise impair effective compliance or endanger the purposes of the stabilization laws.

SEC. 5. Reports of operations after adjustment. Within four months after the effective date of any adjustment granted under this order, the manufacturer receiving such adjustment shall file, with the OPA office which issued the adjustment order, a profit and loss statement covering the first three months of his operations under the order. The adjustment may be revoked or the adjusted ceiling prices modified if in the judgment of the Administrator such report discloses that the adjustment, as originally authorized, was erroneous. Nothing in this section, however, shall be construed to restrict the usual power of the Administrator to revoke or modify an order of adjustment at any time.

SEC. 6. Ceiling prices of purchasers for resale. When adjustments are authorized under this order, the Administrator or his authorized representative may provide, in the order of adjustment or otherwise, for such increases as he deems necessary in the ceiling prices of purchasers and subsequent purchasers for resale. Except as authorized by regulation or order, no adjustment under this order shall be a basis for an increase in a ceiling price of any such purchaser.

SEC. 7. How to apply for an adjustment under this order. A manufacturer who qualifies for adjustment under this order shall file an application for an adjustment under this order on and in

compliance with Form 000. Such a manufacturer may not change his ceiling prices until his application has been acted upon and he has been notified by the Office of Price Administration that he may do so. The manufacturer may, however, apply for adjustable pricing under section 8 of this order.

Sec. 8. Adjustable pricing. Any manufacturer may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no manufacturer may, unless specifically authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when an application for adjustment in the applicable maximum price is pending under this order, but only if the authorization is necessary to promote distribution or production and will not interfere with the purposes of the stabilization laws. The authorization may be given by order by the Administrator or by any official of the Office of Price Administration having authority to act upon the application for adjustment.

Sec. 9. Relationship to other adjustment provisions. The adjustment provisions of this order do not supersede or revoke any adjustment provision contained in any other maximum price regulation or order. Application for adjustment under this order does not preclude application under any other applicable adjustment provision. However, in making application pursuant to this or any such other adjustment provision, the applicant shall notify the Office of Price Administration of any adjustment requested or granted under the provisions of this order or any other adjustment provision. In determining the extent of adjustment to be granted under this order, or under other applicable adjustment provisions, the Price Administrator may take into consideration the total amount of adjustment granted or to be granted under all applicable provisions. Where adjustment has been granted under one such provision and application is thereafter made pursuant to another, the Price Administrator may modify the adjustment previously granted in order that the total amount of adjustment shall conform to that which would have been granted if the applications had been considered simultaneously. An application filed pursuant to one applicable adjustment provision may, at the discretion of the Price Administrator, also be considered under other applicable adjustment provisions.

Sec. 10. Delegation of authority. The Price Administrator, any Regional Administrator, and any District Director who has been authorized to act by the appropriate Regional Administrator, may make adjustments or act upon applications for adjustment under this order.

Sec. 11. Orders modifying this supplementary order. The provisions of this supplementary order as applied to cer-

tain commodities or persons subject to the order, may be modified by general orders under this section or by orders under any regulation or section establishing manufacturers ceiling prices for articles subject to this supplementary order.

This supplementary order shall become effective on the 15th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—LIST OF MAXIMUM PRICE REGULATIONS

General Maximum Price Regulation (except food, grains and cereals, seeds, feeds, tobacco and tobacco products, agricultural chemicals, insecticides and beverages).

MPR 2	Aluminum Scrap and Secondary Aluminum.
MPR 3	Zinc Scrap Materials and Secondary Slab Zinc.
RPS 6	Iron and Steel Products.
RPS 8	Pure Nickel Scrap, Monel Metal Scrap, Stainless Steel Scrap, and Other Scrap Materials Containing Nickel; Secondary Monel Ingot, Secondary Monel Shot, and Secondary Copper-Nickel Shot.
RPS 10	Pig Iron.
RPS 12	Brass Mill Scrap.
RPS 15	Copper.
MPR 17	Tin.
RPS 21	Formaldehyde.
MPR 23	Rayon Grey Goods.
MPR 28	Industrial Ethyl Alcohol—Eastern Territory.
MPR 29	By-Product and Retort Gas Coke.
RPS 31	Acetic Acid.
RPS 34	Wood Alcohol.
MPR 36	Acetone.
MPR 37	Butyl Alcohol, Butyl Acetate, Dibutyl Phthalate and Dibutyl Sebacate.
MPR 38	Glycerine.
MPR 39	Woven Decorative Fabrics (Manufacturers only).
RPS 41	Steel Castings and Railroad Specialties.
RPS 42	Paraffin Wax.
MPR 57	Wood Floor Coverings.
MPR 58	Wool and Wool Tops and Yarns.
MPR 64	Domestic Cooking and Heating Stoves.
RPS 68	Hide Glue Stock.
RPS 69	Primary Lead.
MPR 70	Lead Scrap Materials; Secondary Lead; Battery Lead Scrap; and Primary and Secondary Antimonial Lead.
RPS 71	Primary and Secondary Cadmium.
RPS 76	Hide Glue.
MPR 77	Beehive Oven Coke.
MPR 79	Carbon Tetrachloride and Certain Blends Thereof.
RPS 81	Primary Slab Zinc.
MPR 88	Fuel Oil, Gasoline and Liquefied Petroleum Gas.
RPS 93	Mercury.
MPR 116	China and Pottery.
MPR 123	Raw and Processed Wool Waste Materials.
MPR 124	Rolled Zinc Products.
MPR 128	Processing Piece Goods.
RMPR 131	Camelback and Tire and Tube Repair Materials.
RMPR 138	Ferromanganese and Manganese Alloys and Metal.
RMPR 147	Bolts, Nuts, Screws and Rivets.
MPR 151	New Bags.
RMPR 159	Fabricated Concrete Reinforcement Bars.

MPR 167	Rayon Yarn and Staple Fiber.
MPR 168	Converted Rayon Yarn and Converting Charges.
MPR 172	Charges of Contractors in Apparel Industry.
MPR 177	Men's and Boys' Tailored Clothing.
MPR 178	Women's Fur Garments.
MPR 179	Pine Oil.
MPR 188	Manufacturers' Maximum Prices for Specified Building Materials and Consumer Goods other than Apparel (except Orders #1470, #1509, #1849, #3149 and all other orders of general applicability, heretofore or hereafter issued, under MPR 188 which establish dollar-and-cents maximum prices).
RMPR 191	Cotton Linters and Hull Fibres.
RMPR 198	Silver.
MPR 199	Lead Bullet Rod.
MPR 202	Brass and Bronze Alloy Ingot and Shot.
MPR 203	Vitamin A Natural Oils and Concentrates.
MPR 208 ¹	Maximum Prices for Staple Work Clothing (except articles priced under Appendix D).
MPR 214	High Alloy Castings.
MPR 220	Certain Rubber Commodities.
MPR 221	Manufacturers' Prices for Fall and Winter Knitted Underwear.
MPR 235	Manganese Steel Castings and Manganese Steel Castings Products.
MPR 241	Malleable Iron Castings.
MPR 244	Gray Iron Castings.
MPR 245	Shellac.
MPR 273	Certain Articles of Apparel in Which Materials Have Been Replaced.
MPR 276	Asphalt Tile.
MPR 278	Totaquina and Totaquina Products.
MPR 282	Certain Private Formula Drug and Cosmetic Products.
RMPR 287	Manufacturers' Prices for Fall and Winter Knitted Underwear.
MPR 295	Industrial Ethyl Alcohol—Western Territory.
MPR 297	Natural Resins.
MPR 502	Magnesium Scrap and Remelt Magnesium Ingot.
MPR 309	Platinum Group Metals and Their Products.
MPR 314	Magnesium and Magnesium Alloy Ingot.
MPR 323	Asphalt and Asphalt Products.
MPR 327	Certain Nonmetallic Minerals.
MPR 332	Simplified Men's and Boy's Shirts and Pajamas.
MPR 347	Mica.
MPR 350	Packers' Tin Cans and Condensed Milk Cans.
MPR 353	Certain Fine Chemicals.
MPR 358	Insulation Cambric and Separator Cloth.
MPR 377	Die Castings.
MPR 382	Wide Mouth Glass Containers.
MPR 391	Household Soaps and Cleansers Sold by Manufacturers and Certain Wholesalers.
MPR 392	Packaged Drugs.
MPR 393	Packaged Cosmetics.
MPR 405	Ferrosilicon and Silicon Metal.
MPR 406	Synthetic Resins and Plastic Materials.
MPR 407	Ferrochromium and Chromium Metal.
MPR 416	Basic Refractories Products.
MPR 420	Hardwood Heels.
MPR 431	Charcoal.
MPR 446	Pine Tar and Pine Tar Oil.
MPR 447	Coal Tars.

¹ Appendix D to RMPR 208 provides dollar-and-cent prices for war models of work clothing and should, therefore, be excluded.

MPR 466	Asbestos-Cement Building Materials.
MPR 472	Certain Essential Oils.
MPR 489	Tungsten, Molybdenum, Vanadium, Cobalt, and Certain Other Alloys and Metals.
MPR 497	Antimony Metal and Antimony Compounds.
MPR 508	Rayon Knit Fabrics and the Knitting Thereof.
MPR 510	Lubricating Oils, Greases, and Certain Other Petroleum Products.
MPR 519	Thermosetting Plastic Laminates.
MPR 563	Wet Gelatin Raw Stock.
MPR 570	Women's, Misses' and Children's Underwear, Nightwear and Negligee Garments.
MPR 572	Manufacturers' Prices for Certain Fall and Winter Outerwear.
MPR 575	Chromium Chemicals.
MPR 583	Prefabricated and Non-Dwelling Structures.

[F. R. Doc. 45-16855; Filed, Sept. 10, 1945; 12:01 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 18, Amdt. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

General Ration Order 18 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION. 1. *Who may apply.* A person who was in the Army, Navy, Marine Corps or Coast Guard of the United States on or after September 16, 1940, and was discharged or released under conditions other than dishonorable, after active service of ninety days or more, or by reason of an injury or disability incurred in service in line of duty, and who wishes to open an industrial user establishment or to receive a base for refreshment services for a Group III institutional user establishment, may apply for registration and assignment to him of a base or bases for one or both of these purposes.

2. Section 3 (a) (2) is amended to read as follows:

(2) Whether he is applying for registration as an industrial user, or for the assignment of a base for refreshment services for institutional user establishment or for both;

3. Section 3 (a) (5) is amended to read as follows:

(5) That he is not and will not be financed directly or indirectly in the operation of that business by any person already registered as an industrial user entitled to an allotment under Second Revised Ration Order 3, Revised Ration Order 13 or Revised Ration Order 16, or as an institutional user providing refreshment services under General Ration Order 5 and that he will not use the premises, facilities, or equipment in use by any such industrial or institutional user.

4. Section 3 (a) (9) is amended to read as follows:

(9) The amount of the base (or bases) of rationed foods he wishes for the establishment covered by the application, stated separately for each group of products or type of refreshment service covered by the application;

5. Section 3 (a) (10) (i) is amended to read as follows:

(i) That he does not have any other business than the establishment covered by the application and did not have any such business on or after the date of his discharge or release, or March 22, 1945, whichever is later:

6. Section 3 (a) (10) (iv) is amended to read as follows:

(iv) The products or uses for which the base is desired.

(Certain groups of products or uses for industrial users are shown in Schedule I of the supplement to this order);

7. Section 3 (a) (10) (v) is revoked.

8. Section 3 (a) (11) (i) is amended to read as follows:

(i) That he does not have any other business than the establishment covered by the application and did not have any such business on or after the date of his discharge or release, or March 22, 1945, whichever is later, except an institutional user establishment at the same location as the one covered by the application which does not have a base for refreshment services;

9. Section 3 (a) (11) (iii) is amended to read as follows:

(iii) The type, or types, of refreshment services for which the base is desired. (Certain types of refreshment services for institutional user establishments are shown in Schedule II of the supplement to this order);

10. Section 3 (a) (11) (viii) is deleted and section 3 (a) (11) (ix) is redesignated section 3 (a) (11) (viii).

11. Section 3 (a) (12) is added to read as follows:

(12) If he applies for an industrial user base to make products in more than one group, or a refreshment service base for more than one type of refreshment service, or for both an industrial user and an institutional user refreshment base, he must state separately with respect to each group of products and each type of refreshment service for which he applies what percentage he wishes of the base to which he would be entitled under this order if he were to engage exclusively in making that group of products or that type of refreshment service. In no event may these percentages total more than 100 percent.

(c) No person may obtain a base under this order unless:

(1) He is the principal owner and active head of the business covered by the application; or

(2) He is a joint owner of the business covered by the application and will be actively engaged in the operation of the business covered by the application and the only other persons who own a part of that business are members of his im-

mediate family or persons who would themselves be entitled to a base under this order; or

(3) He is a joint owner of the business and will be actively engaged in the operation of the business, and the financial interests held by himself and by members of his immediate family or persons who would themselves be entitled to a base under this order aggregate the principal ownership of the business.

12. Section 4 (b) (1) is amended by inserting in the first sentence thereof between the words "District Office finds" and "that the statements made" the words "that he will engage in the business for which he applies," and by adding at the end of the subparagraph the following: "However in many cases products for which no maximum base has been provided in the supplement to this order require excessively large amounts of rationed foods or are of a kind designed primarily for other than direct consumption. The present tight food supply situation makes it inadvisable to provide bases for such products. Most applications for bases to make products for which a maximum base has not been provided will, therefore, be denied."

13. Section 4 (b) (2) is amended to read as follows:

(2) If the application is for registration as an institutional user providing refreshment services of a type listed in Schedule II and the District Office finds that the applicant will engage in the business covered by the application, that the statements made in the application are true, and that the application satisfies the requirements of section 3 and section 4 (a) it shall register the applicant as an institutional user, or amend his registration as an institutional user, as the case may be, and grant him a base for refreshment services. However, that base shall not be larger than the base of a comparable establishment in the area in which the establishment is located, or the maximum base for refreshment services applicable to his type of operation as set out in Schedule II of the supplement to this order. If the type of operation for which the applicant requests rationed foods is not included in Schedule II the District Office may not act upon the application but must send it, together with any other information received, to the Washington Office for decision, or take such other action as the Washington Office may authorize or direct.

14. Sections 4 (b) (3) and (4) are added to read as follows:

(3) If the application is for an industrial user base for the production of products in more than one group, or for an institutional user refreshment base for more than one type of refreshment service, or for both, and the District Office finds that the applicant will engage in the business for which he applies, that the statements made in the application are true, and that the application satisfies the requirements of section 3 and section 4 (a), it shall register the applicant as an industrial user, or an institutional user or as both, as the case may be, and grant him a base or

bases for the operations for which he applies. However, the base or bases granted shall not be larger than the smaller of the following:

(i) The base or bases of a comparable establishment in the area in which the establishment is located; or

(ii) With respect to each group of products or type of refreshment service for which he requests a base, the percentage requested by him of the base for that group of products or type of refreshment service which he could obtain under subparagraph (1) or (2) of this section if he were to engage only in making that group of products or providing that type of refreshment service.

For example, he may state in his application that he wishes to produce ice cream (Group 3) and candy (Group 7) as an industrial user, and make a refreshment service of ice cream (Type 4) and carbonated beverages (Type 7). He may state that he wishes an industrial user base for ice cream equal to 40% of what he would be entitled to receive if he were to engage in that business exclusively; an industrial user base for candy equal to 10% of what he would be entitled to receive if he were to be engaged in that business exclusively; a refreshment service base for ice cream equal to 15% of what he would be entitled to receive if he were to engage in that type of service exclusively; and a refreshment service base for carbonated beverages equal to 35% of what he would be entitled to receive if he were to engage in that type of service exclusively. Such person would be entitled to 40% of the base of an industrial user ice cream business in the way provided by subparagraph (1), 10% of the base of candy business as provided in that subparagraph, 15% of the base for a refreshment service of ice cream as provided in subparagraph (2), and 35% of the base for a refreshment service of carbonated beverages as provided in subparagraph (2). However, if the bases of a comparable establishment in the area where his establishment is located which makes and serves substantially the same products are lower he may obtain bases no greater than those of the comparable establishment.

(4) If the applicant is already registered as an institutional user with a meal service base, the only base he may be granted under this order is a base for incidental refreshment services for use in connection with his institutional user establishment (the maximum base for that type of service is provided in Schedule II, Item 8) and he may not be granted an industrial user base or any other institutional user refreshment base.

15. Section 5 (a) (2) is amended to read as follows:

(2) The facts stated in paragraphs (a) (5), (a) (7), or (c) of section 3 cease to be true; or

16. Section 5 (b) is added to read as follows:

(b) No person who obtains a base or bases under this order may use his allotments of rationed foods for any product, or refreshment service, not included in the group of products or type of re-

freshment service for which he was granted the base or bases. Furthermore, no such person may use, to make any group of products, or type of refreshment service, as shown in Schedules I or II, more rationed foods than the part of his allotment for those foods based on his base for that group of products or type of refreshment service.

17. Section 10 is redesignated section 11 and a new section 10 is added to read as follows:

SEC. 10. *Certain industrial users may obtain an adjustment.* (a) Any person who would be entitled to a base under this order except for the fact that he already has an industrial user base, may apply for an adjustment in that base if the base he has is less than the base he would be entitled to get under this order. Application for an adjustment under this section shall be made in the same way as any other application for a base under this order, except that the applicant shall state in his application the amount of the base he has for each product or use he will make.

(b) The District Office shall, if it finds that the applicant meets the requirements of paragraph (a), grant the applicant an adjustment in his base in the amount that the base he would be eligible to receive under this order exceeds the amount of the base he has.

This amendment shall become effective September 14, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16852; Filed, Sept. 10, 1945;
12:04 p. m.]

PART 1305—ADMINISTRATION

[Gen. RO 18, Amdt. 4 to Supp. 1]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Supplement 1 to General Ration Order 18 is amended in the following respects:

1. Schedule I, Item 2, is amended to read as follows:

2. General baking products (not including bread and rolls):	
Sugar	23,839
Butter	480
Margarine	840
Lard, shortening, cooking and salad oils	22,680

2. Schedule I, Item 7 is amended to read as follows:

7. Candy:	
Sugar	16,000
Butter, margarine, lard, shortening, cooking or salad oils (if required)	675

3. Schedule II is amended to read as follows:

Maximum monthly refreshment base permitted	
1. Establishments serving potato chips; Meat-fats	3,240 points.
2. Establishments serving popcorn or nuts; Meat-fats	1,080 points.

Maximum monthly refreshment base permitted

3. Establishments serving processed fruit juices, vegetable juices or tomato juice:	
Sugar	160 pounds.
4. Establishments serving ice cream, sherbets, or frozen custard:	
Sugar	720 pounds.
5. Establishments serving coffee, tea, lemonade or orangeade:	
Sugar	400 pounds.
6. Establishments serving alcoholic beverages:	
Sugar	80 pounds.
7. Establishments serving carbonated beverages:	
Sugar	400 pounds.
8. Establishments engaged primarily in meal services with some incidental refreshment service business:	
Sugar	120 pounds.
Meat-Fats	180 points.
9. Other	(¹)

¹ To be determined by the Washington Office.

4. Schedule III is amended to read as follows:

OPA Form R-1226 Form approved
(9-45 (Rev.)) Budget Bureau No. 08-R1336.1

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION
VETERANS' APPLICATION FOR REGISTRATION AND ASSIGNMENT OF BASE
PURSUANT TO GENERAL RATION ORDER 18

Name of applicant _____
Address—Number and street _____
City, postal zone number, State _____
Address of establishment—Number and street _____
City, postal zone number, State _____
Name of establishment (if any) _____

DO NOT WRITE IN THIS SPACE—TO BE FILLED IN BY LOCAL BOARD

Date _____ Board No. _____ County and State _____
I certify that the following information appeared on the discharge papers or certificate of satisfactory completion of active duty shown to me by the applicant:
Type of papers presented _____
Date of discharge or release _____
Discharge: ☐ Dishonorable ☐ Other _____
Signature of board member _____

DO NOT WRITE IN THIS SPACE—TO BE FILLED IN BY DISTRICT OFFICE

Date _____ District Office _____ County and State _____
Industrial user, bases (annual)
Institutional user, bases (monthly)
☐ Disapproved ☐ Approved as shown

NOTE.—Enter symbol in line 1 for type of operation checked by applicant in "B" (Industrial) and/or "C" (Institutional). Example: "B7", "C3", etc. (If institutional

user base is involved, cross out "lbs." appearing in line 3; if industrial user base is involved cross out "pts." in line 3.)

1. *Symbol.....						
2. Sugar base....	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.
3. Meat-fats base.....	(Pts.)	Pts.	Pts.	Pts.	Pts.	Pts.
	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.

Signature of food rationing representative.

INSTRUCTIONS

You may apply to your local War Price and Rationing Board for permission to register and receive a "base" for your establishment if you meet these tests: (1) you were in the armed services of the United States on or after September 16, 1940; (2) you were discharged or released under conditions other than dishonorable, after service of 90 days or more, or in less than 90 days if you were released or discharged because of an injury or disability incurred in service in line of duty.

When you make application at your local board, you must show your discharge papers or certificate of satisfactory completion of active duty (or photostatic copy thereof) to the board member handling your application.

"Base": originally institutional users were allotted rationed foods on the basis of a designated percentage of their *past use* of those foods during a selected period of time. The figure obtained after applying the percentage was designated as their "base" or *base period use*. Base period use for industrial users was determined by selecting a pre-rationing representative period of use of foods covered by the food rationing regulations. The number of pounds of such foods used during the selected pre-rationing period by persons who later became industrial users under the food rationing regulations was designated as their "base" or *base period use* of those foods. The base figure obtained for both institutional and industrial users is used for the purpose of determining bi-monthly allotments for institutional users and quarterly allotments for industrial users. Since veterans were not in business during the *selected periods of time* mentioned above, a base must be determined for them. Thus, the term "base" is simply the basic figure from which a veteran's allotments of rationed foods will be computed. It does not necessarily mean that his allotments will be equivalent to the bases established for his operation.

A. Application for (check one):

- ☐ Industrial user establishment
- ☐ Institutional user establishment
- ☐ Combination of operations

B. If you are applying for permission to register as an *industrial user*, indicate by check-mark in the appropriate box, which group of products (or uses) you wish to make. Check group or groups selected.)

- ☐ 1. Bread and rolls only
- ☐ 2. General bakery products (not including bread and rolls)
- ☐ 3. Ice cream, ices, sherbets, frozen custards (excluding mixes used for any of these purposes)
- ☐ 4. Bottled beverages (non-alcoholic)
- ☐ 5. Potato chips
- ☐ 6. Popcorn
- ☐ 7. Candy
- ☐ 8. Other (specify) _____

C. If you are applying for permission to register as an *institutional user*, indicate by check-mark which type of refreshment operation you wish to engage in. (Check type or types selected.)

- ☐ 1. Potato chips
- ☐ 2. Popcorn or nuts
- ☐ 3. Establishments serving processed fruit juices, vegetable juices or tomato juice
- ☐ 4. Ice cream, sherbet or frozen custards
- ☐ 5. Coffee, tea, lemonade, or orangeade
- ☐ 6. Alcoholic beverages
- ☐ 7. Carbonated beverages
- ☐ 8. Establishment engaged primarily in meal service, with some incidental refreshment service business
- ☐ 9. Other (specify) _____

D. Do you already have a base for any rationed foods? If "yes," state address and type of establishment for which you have that base. Yes ☐ No ☐

E. If you meet the eligibility tests set forth in GRO-18, the rationed foods bases established for you will be the lowest of the following: (1) The maximum permissible bases stated in GRO-18; (2) the bases assigned to a comparable establishment in the area, or (3) the bases which you request.

If you have checked *only one* item in "B" or "C", enter in the first column, line 1 of the table below, the item checked in "B" or "C". Example: Enter "B2" for General Bakery Products. (You need not enter a percentage figure in line 2 when you check *only one* item in "B" or "C".) In lines 3 through 9, you must enter the amount of each rationed food you wish established as your "base" for the product checked in "B" or "C". (See definition of "base" under instructions.)

If you have checked *more than one* item in "B" and "C", additional steps are necessary in determining your bases. Since you will engage in a combination of operations, you will not be granted bases for each operation checked in "B" and "C" equivalent to the bases you might receive for only one operation. You may be granted for each operation a base which is a percentage of the base you would receive for that operation alone. To assist you in determining the base you wish for each product checked in "B" and "C", you should request your local Board or District Office to provide you with figures showing the maximum bases which may be assigned for single operations under GRO-18. Having obtained these maximum base figures, you must determine the percentage of the maximum base that you wish for each product checked in "B" and "C". The sum of the percentages must be exactly 100%.

For example, you might decide to engage in a combination of operations consisting of the production of general bakery products (B2) and the service of coffee and tea (C5). You might decide that you want a 14,300 pound annual sugar base to produce B2 products. 14,300 pounds is equal to 60% of the maximum base which may be assigned under GRO-18. The other rationed foods bases that you select to produce B2 products must be in the same proportion as the base selected for sugar. Since your B2 bases are equivalent to 60% of the maximum permissible bases for B2 products, then you should request an annual sugar base of not more than 2,400 pounds of sugar (40% of maximum permissible base in GRO-18) for C5 products. Thus, your percentages for the two operations (B2 and C5) total exactly 100%.

In filling out the table below, you are to fill out as many columns as there are items checked in "B" and "C". Enter in the blank space of each column (line 1) the items which you have checked in "B" and "C". For example, for General Bakery Goods, enter B2 in line 1 of the first column. Enter 60% in line 2 of the first column and enter the figure 14,300 in line 3 (sugar) of the first column. Also enter other rationed foods bases in the appropriate commodity lines for B2 products in the first column. Follow

the same procedure for C5 bases by entering the appropriate figures in the second column.

1. *Symbol.....						
2. Percentage of base.....	%	%	%	%	%	%
Rationed foods required:	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.
3. Sugar.....						
4. Cheese.....						
5. Butter.....						
6. Margarine.....						
7. Lard.....						
8. Shortening.....						
9. Cooking & salad oils.....						

The bases you select are subject to adjustment by the District Office. However, the District Office will attempt to assign bases in approximately the same proportion as those shown on your application. In no event will the bases assigned exceed those of comparable establishments in the area where your business will be located.

(NOTE: The rationed foods bases assigned to you for a particular operation cannot be used interchangeably in your combination of operations. If you receive a base of 2,400 pounds of sugar for use in the service of coffee and tea, you may not use any part of that sugar base to produce baked goods.)

1. Do you have any other application pending under GRO-18? Yes ☐ No ☐

2. Were you in the Army, Navy, Marine Corps or Coast Guard on or after September 16, 1940? Yes ☐ No ☐ Specify branch of service.....

a. Were you on active service 90 days or more? Yes ☐ No ☐

b. If you were on active service less than 90 days, were you discharged or released because of an injury or disability incurred in service in line of duty? Yes ☐ No ☐

3. Are you now in possession of the necessary premises and equipment to operate the establishment checked by you in item A? Yes ☐ No ☐

a. If "no," will you obtain the necessary premises and equipment if you are assured that you will be assigned a base? Yes ☐ No ☐

4. Have you been, or will you be, financed directly or indirectly, in the operation of your establishment, by an industrial user entitled to an allotment under the sugar or meat-fats rationing regulations; or by an institutional user providing refreshment services under the institutional user rationing regulations? Yes ☐ No ☐

a. Will any part of the facilities and equipment in use by such an industrial user or institutional user also be used by you? Yes ☐ No ☐

ANSWER EITHER QUESTION 5 OR 6, WHICHEVER IS APPLICABLE

5. Are you or will you be the principal owner and active head of the establishment covered by this application? Yes ☐ No ☐

6. If you are or will be a joint owner of the establishment covered by this application, answer the following questions:

a. Will you be actively engaged in the operation of the business? Yes ☐ No ☐

- b. Are the only other persons who own a part of the business members of your immediate family, or veterans entitled to a base under GRO-18? Yes ☐ No ☐

If you checked "No," for (B), answer the following question:

- c. Do the interests held by you, together with members of your immediate family or veterans entitled to a base under GRO-18, constitute principal ownership of the business? Yes ☐ No ☐

7. Will your principal occupation consist of operating the establishment covered by this application? Yes ☐ No ☐

IF YOU ARE APPLYING FOR REGISTRATION AND ASSIGNMENT OF AN INDUSTRIAL USER BASE, ANSWER QUESTIONS 8 AND 9

8. Are you engaged in any business other than that covered by this application? Yes ☐ No ☐

Answer either (A) or (B), whichever is applicable:

- a. If you were discharged or released before March 22, 1945, did you have any business after March 22, 1945? Yes ☐ No ☐

- b. If you were discharged or released after March 22, 1945, did you have any business on or after the date of your discharge or release? Yes ☐ No ☐

9. Describe briefly the facilities and equipment you will use in producing the products checked in Item 3. _____

IF YOU ARE APPLYING FOR REGISTRATION AND ASSIGNMENT OF AN INSTITUTIONAL USER REFRESHMENT BASE, ANSWER QUESTIONS 10 THROUGH 14

10. Are you engaged in any business other than that covered by this application (except an institutional user establishment without a refreshment base at the same location as the establishment for which this application is made: Yes ☐ No ☐

Answer either (A) or (B) whichever is applicable:

- a. If you were discharged or released before March 22, 1945, did you have a business after March 22, 1945? Yes ☐ No ☐

- b. If you were discharged or released after March 22, 1945, did you have a business on or after the date of your discharge or release? Yes ☐ No ☐

11. Describe briefly the facilities and equipment you will use in the preparation and service of refreshment items at your establishment. _____

- a. What is or will be the seating capacity of your establishment? _____ persons

12. Will the establishment covered by this application be operated on a year-round basis or on a seasonal basis? (Check one.)

☐ year-round ☐ seasonal

- a. If on a seasonal basis, state period that establishment will be in operation. _____

13. How many persons do you expect to serve refreshments during your first 30 days of operation? _____ persons

14. a. If you have checked items 2, 3, 4, or 5 of item B indicate which of the items, listed in type of operations you have checked, you intend to serve.

- b. If you have checked item 8 of item C, list the refreshment items you intend to serve.

I certify that the above statements are true and correct to the best of my knowledge and belief.

Sign here _____ Date _____
(Name of applicant)

A false certification is a criminal offense

This amendment shall become effective September 14, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16853; Filed, Sept. 10, 1945;
12:04 p. m.]

PART 1340—COMMODITIES AND SERVICES

[RMPR 165, Amdt. 2 to Rev. Supp. Service Reg. 30]

SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.2263 (a) is amended by adding to the last undesignated paragraph thereof a new sentence to read as follows: "A sales agent who establishes a weighted average cents per ton commission for all sales of coal from a mine pursuant to this paragraph may thereafter take such cents per ton commission as his maximum commission for all sales of coal from mines of the same price classification and having the same maximum prices, for which he subsequently becomes the exclusive sales agent."

This amendment shall become effective September 15, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16842; Filed, Sept. 10, 1945;
12:00 m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 285, Amdt. 6]

IMPORTED FRESH BANANAS, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Revised Maximum Price Regulation 285 is amended in the following respects:

1. Section 3 (a) is amended in the following respects:

- a. The first undesignated paragraph is amended to read as follows:

The maximum price that an importer may pay for green bananas is, in each case, his maximum price for sales of green bananas from the country of production of the bananas being priced, less all costs incurred by him incident to

transporting the bananas from the country of production to the port of entry and less all sums he pays for purchasing services.

b. The second undesignated paragraph is amended by adding the words "at the port of entry" after the words "delivering them to the importer."

2. In the table in section 3 (b) (1) the item, "Mexico, \$3.50," is deleted.

3. Section 5 (a) is amended by adding subparagraphs (4) and (5) to read, respectively, as follows:

(4) To determine and announce by order or otherwise, the cost of transporting bananas from ports of entry to individual or groups of wholesale receiving points within his jurisdiction by the most direct route at the lowest available common carrier rate;

(5) To determine and announce by order or otherwise, with respect to individual buyers or groups of buyers, whether a particular railroad produce delivery yard is "local," or whether, in any case, a buyer's premises is his wholesale receiving point.

This amendment shall become effective September 12, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16844; Filed, Sept. 10, 1945;
12:02 p. m.]

PART 1400—TEXTILE FABRICS, COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 39, Amdt. 9]

WOVEN DECORATIVE FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 39 is amended in the following respects:

1. Section 1400.161 (a) (4) is amended to read as follows:

(4) "Woven decorative fabrics" means any finished fabric woven on a loom and predominantly used for upholstery coverings (which includes upholstery coverings for furniture, airplanes, railway cars, caskets, etc.), draperies, furniture or automobile slip covers or bedspreads: *Provided*, That the term shall not include coated fabrics for which maximum prices are established by Maximum Price Regulation No. 478—Coated and Combined Fabrics, or bedspread fabrics for which maximum prices are established by Maximum Price Regulation No. 118—Cotton Products—Woven woolen or worsted automobile flat fabrics for which maximum prices are established by Maximum Price Regulation No. 595. Woven woolen or Worsted Automobile Flat Fabrics.

This amendment shall become effective September 10, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16847; Filed, Sept. 10, 1945;
12:02 p. m.]

¹ 10 F.R. 7532, 8746, 8934.

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETICS AND ADMIXTURES

[MPR 595]

WOVEN WOOLEN AND WORSTED AUTOMOBILE FLAT FABRICS

A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.

ARTICLE I—MAXIMUM PRICES

Sec.

1. Applicability of this regulation.
2. Maximum prices for manufacturers.
3. Maximum prices for jobbers.
4. Customary discounts, trade practices and transportation costs.
5. Adjustable pricing.

ARTICLE II—INVOICES, RECORDS, REPORTS

6. Invoices.
7. Records.
8. Reports.

ARTICLE III—ENFORCEMENT

9. Prohibition against dealing in woolen or worsted automobile flat fabrics above maximum prices.
10. Evasion.
11. Licensing.
12. Enforcement.

ARTICLE IV—AMENDMENT AND ADJUSTMENT

13. Petition for amendment.
14. Adjustment of maximum prices.

ARTICLE V—DEFINITIONS

15. Definitions.

AUTHORITY: § 1400.204 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155.

ARTICLE I—MAXIMUM PRICES

SECTION 1. *Applicability of this regulation.* This regulation applies to sales of woven woolen and worsted automobile flat fabrics by a manufacturer or a jobber.

SEC. 2. *Maximum prices for manufacturers—(a) Manufacturers who sold automobile flat fabrics during the base period.* A manufacturer who sold woven woolen or worsted automobile flat fabrics between January 1, 1941 and June 30, 1941 (which shall be known as the base period) shall determine his maximum price as follows:

(1) *Fabrics sold during base period.*

(i) The manufacturer's maximum price for a woolen or worsted automobile flat fabric sold by him during the base period shall be his standard opening price for the fabric in that period plus the applicable percentage of that standard opening price set forth below:

(a) If the standard opening price was \$2.75 or less per finished yard (56"/58" wide), 17½%;

(b) If the standard opening price was more than \$2.75 per finished yard (56"/58" wide), 15%;

(ii) For the purpose of this paragraph, the standard opening price for a fabric (excluding any fabric, sales of which totalled less than 1000 yards) is the selling price per yard at which the largest yardage of the fabric was sold during the base period.

(2) *Fabrics not sold during base period (January to June 1941).* (i) The maximum price for a woolen or worsted automobile flat fabric not sold during the base period shall be the manufacturer's maximum price, determined in accordance with paragraph (a) (1) of this section, for the most comparable base period fabric increased or decreased by (a), the difference in the cost of the raw material used therein and (b) the difference in the manufacturing cost thereof. The raw material cost for both fabrics shall be calculated at the maximum price established by the Office of Price Administration and in effect at the time the ceiling price determination for this fabric is filed pursuant to section 8. The manufacturing cost for both fabrics shall be calculated at the cost which would have been incurred if they had been manufactured in like quantities within 30 days prior to the date of filing the ceiling price determination for this fabric pursuant to section 8.

(ii) The "most comparable" fabric is the automobile flat fabric subject to paragraph (a) (1) which is nearest to the fabric being priced, based upon the following criteria, which are listed in the order of their importance for this purpose:

(a) Type of fabric (upholstery, sidewall, headlining);

(b) Weight of the finished fabric, adjusted for differences in width;

(c) Sum of ends and picks per inch of finished fabric;

(d) Type of dyeing.

(b) *Manufacturers who sold no automobile flat fabric during base period.* A manufacturer who, during the base period, sold no woolen or worsted automobile flat fabric or sold no single fabric of that kind in a total quantity of at least 1,000 yards, shall compute his maximum price for an automobile flat fabric by adding 25¢ to the factory or mill cost (consisting of direct material, direct labor, factory overhead and supplies) of the fabric where the factory cost does not exceed \$2.75 per yard, and by adding 32½¢ to such cost where the factory cost does exceed \$2.75 per yard. The cost of raw material shall be calculated at the maximum price in effect at the time of the ceiling price determination for the fabric; manufacturing cost shall be calculated at the cost which would have been incurred had such fabric been manufactured in quantity in April 1945. Factory overhead includes all other costs, allocated to the particular fabric, in addition to direct labor and direct material costs, necessary to bring the product to completion in the factory but does not include general administration costs, selling expense, or allowance for seconds.

SEC. 3. *Maximum prices for jobbers.*

(a) The maximum price for a sale or delivery of a woolen or worsted automobile flat fabric by a jobber shall be the quotient of the sum of the fabric manufacturer's net invoice price (but in no case higher than the fabric manufacturer's maximum price) and the allowable in-freight charges, divided by the applicable division factor set forth below.

The allowable in-freight charges are, in the case of a shipment direct to the jobber from the fabric manufacturer, the amount actually paid by the jobber for the transportation of the fabric from the fabric manufacturer's shipping point to the jobber's place of business or, in any other case, the freight charges actually paid by the purchaser from the fabric manufacturer for the fabric from the fabric manufacturer's shipping point to such purchaser's place of business, plus the freight charges actually paid by the jobber for the transportation of the fabric from his supplier's shipping point to his place of business. The applicable division factors are:

(1) Fabrics sold in piece lots, 0.90.

(2) Fabrics sold in less than piece lots, 0.85.

(b) The maximum price for sales and deliveries of mill ends, close outs, seconds and irregular pieces by jobbers shall be the manufacturer's maximum price therefor, determined in accordance with this Regulation.

SEC. 4. *Customary discounts, trade practices and transportation costs.* Every manufacturer or jobber of woolen or worsted automobile flat fabrics shall continue his customary terms of sale, allowances, discounts and other price differentials to different purchasers and different classes of purchasers.

SEC. 5. *Adjustable pricing.* Any person may offer or agree to adjust prices for automobile flat fabrics in accordance with the provisions set forth for civilian apparel fabrics in § 1400.118 of MPR 163.

ARTICLE II—INVOICES, RECORDS AND REPORTS

SEC. 6. *Invoices.* Every manufacturer who makes a sale subject to this Regulation must give the purchaser an invoice which shall include his own and the purchaser's name and address, the manufacturer's style number or a brief description of the fabric, and the date, price, quantity and terms of sale. Every jobber who makes a sale subject to this Regulation must give the purchaser an invoice which shall include his own and the purchaser's name and address, the manufacturer's net invoice price, the freight charges paid, and the division factor used; together with the style number, date, price, quantity and terms of sale.

SEC. 7. *Records.* The records required by this regulation shall be kept for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect. Every manufacturer of woolen or worsted automobile flat fabrics shall keep a copy of each invoice he gives in accordance with section 6, and the same records as those required for civilian apparel fabrics in § 1410.110 (a) of MPR 163. Every jobber of woolens or worsted automobile flat fabrics shall keep each invoice he receives, and a copy of each invoice he gives, in accordance with section 6.

SEC. 8. *Reports.* Within 10 days after a manufacturer has offered for sale a fabric priced pursuant to section 2 (a)

(2) or (2) (b) of this regulation, and before he makes delivery thereof, he shall file with the Office of Price Administration, Washington 25, D. C., with respect to such fabrics, a report on Form No. — which may be obtained from the Office of Price Administration, Washington 25, D. C.

ARTICLE III—ENFORCEMENT

SEC. 9. Prohibition against dealing in woolen or worsted automobile flat fabrics above maximum prices. On and after September 10, 1945, regardless of any contract or obligation:

(a) No person shall sell or deliver any woolen or worsted automobile flat fabric at a price higher than the maximum price established by this regulation.

(b) No person in the course of trade or business shall buy or receive any woolen or worsted automobile flat fabric at a price higher than the maximum price established by this regulation.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing.

SEC. 10. Evasion. The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of or relating to woolen or worsted automobile flat fabrics, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying-agreement or other trade understanding, or otherwise.

SEC. 11. Licensing. The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during period of suspension, make any sale for which his license has been suspended.

SEC. 12. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

ARTICLE IV—AMENDMENT AND ADJUSTMENT

SEC. 13. Petition for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 14. Adjustment of maximum prices. Any manufacturer may apply for adjustment of his maximum price for a woolen or worsted automobile flat fabric in accordance with the standards set forth for civilian apparel fabrics in § 1410.109 of MPR 163. In the event that the maximum price of any manufacturer determined in accordance with section 2 of this regulation is abnormally high in relation to the maximum prices of other manufacturers for the same or comparable woolen or worsted automobile flat fabrics, the Office of Price Administration

may, upon its own motion, adjust such maximum price by the issuance of an appropriate order.

ARTICLE V—DEFINITIONS

SEC. 15. Definitions. (a) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor, or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political sub-divisions, or any agency of any of the foregoing.

(b) "Manufacturer" means the producer of woven woolen or worsted automobile flat fabric and includes his agent and any person controlling, controlled by or under common control with the manufacturer.

(c) "Woolen or worsted automobile flat fabrics" means upholstery, sidewall and headlining fabrics, containing 25% or more of woolen fiber by weight and manufactured on the woolen, worsted or cotton system.

(d) "Jobber" means a person who purchases automobile flat fabrics and resells them in the performance of a recognized distributive function.

(e) "Manufacturing costs" consist of direct labor and factory overhead including supplies allocated to the particular fabric.

This regulation shall become effective September 10, 1945.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16848; Filed, Sept. 10, 1945;
12:02 p. m.]

PART 1404—RATIONING OF FOOTWEAR [RO 17, Amdt. 110]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 17 is amended in the following respects:

1. Section 2.10 (a) is amended to read as follows:

(a) An establishment that is unable to fill a consumer's order for which it has received valid ration currency, and an establishment making a refund for returned shoes as permitted by section 1.10 (a), must return to the consumer a special shoe stamp as a refund for the currency or shoes received. War ration shoe stamps may not be used for refund purposes. Where an establishment is able to fill a consumer's order, but does not do so, it may return a special shoe stamp to the consumer if it has received valid ration currency for the order. The establishment may get special shoe

stamps for this purpose from its Board or District Office, in exchange for a ration check drawn to the account of the Office of Price Administration or in exchange for valid shoe stamps or certificates received from customers.

2. Section 2.13 (b) (13) is added to read as follows:

(13) Written notices received from the District Office showing the establishment of a reduced inventory responsibility.

3. Section 2.13 (d) is amended by adding the following: "Upon checking the inventory responsibility of any establishment the District Office may, where a deficit appears, establish a new inventory responsibility for the establishment, for the number of pairs of shoes and amount of ration currency actually in its inventory at the time the check is made. The District Office shall notify the establishment in writing of its reduced inventory responsibility. Where an overage appears the District Office may require the establishment to surrender to it ration currency in an amount equivalent to the amount of the overage. The establishment of a reduced inventory responsibility or surrender of ration currency in the amount of an overage shall not operate as a waiver of any violation of this order."

This amendment shall become effective September 14, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16850; Filed, Sept. 10, 1945;
12:03 p. m.]

PART 1404—RATIONING OF FOOTWEAR [RO 17, Amdt. 111]

SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3.5 (a) (1) and (2) are amended to read as follows:

(1) Shoes may be shipped to a territory, possession or dependency of the United States (other than the District of Columbia and the Philippine Islands) or transferred to Ship's Service Stores Afloat, or to any person as slop chest supplies or ships' stores for use of crew members aboard any ocean-going vessel operating in foreign, coastwise, or inter-coastal trade, without prior consent from any person or agency.

(2) Shoes having a declared value of \$25 or more may be exported to any foreign country, other than Canada, and shoes of any value may be exported to the Philippine Islands under an individual, special program or special project license, issued by the Foreign Economic Administration.

This amendment shall become effective September 10, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16851; Filed, Sept. 10, 1945;
12:03 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[2d Rev. MPR 183,¹ Amdt. 6]

**IMPORTED DISTILLED SPIRITS AND WINES IN
PUERTO RICO**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Second Revised Maximum Price Regulation 183 is amended in the following respects:

1. Section 1.16 is added to read as follows:

Sec. 1.16 Suspension of certain commodities from price control. For the commodities listed below, the provisions of this Second Revised Maximum Price Regulation 183 are suspended and shall be inoperative with respect to sales and deliveries made on or after the applicable suspension date set forth below:

Commodity and suspension date

All imported distilled spirits and imported wines, set forth in section 4.2 below excepting foreign and American whiskies, September 17, 1945.

2. Section 1.9 (d) is added to read as follows:

(d) *Application to suspended commodities.* The provisions of this section 1.9 shall be inoperative with respect to any commodity suspended from price control by section 1.16 of this regulation on sales or deliveries made during the period of such commodity's suspension from price control.

Issued this 10th day of September 1945.

This amendment shall become effective as of September 17, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16843; Filed, Sept. 10, 1945;
12:00 m.]

PART 1418—TERRITORIES AND POSSESSIONS
[Restaurant MPR 9-1, Amdt. 1 to Order R-183]

SPECIFIC DOLLAR AND CENT PRICES FOR CERTAIN FOOD AND DRINK ITEMS SOLD BY EATING AND DRINKING ESTABLISHMENTS IN HAWAII

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Territorial Director of the Office of Price Administration for the Territory of Hawaii by section 17 of Restaurant Maximum Price Regulation No. 9-1, Order No. R-183 is amended in the following respects:

Appendix A (a) 4 is amended by having added thereto the following:

(XIII) S. & W. Liquid Apple, 12 oz. bottle. . 25

This amendment shall become effective as of August 13, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16849; Filed, Sept. 10, 1945;
12:05 p. m.]

¹ 10 F.R. 7635, 8933, 9223, 9227, 10224, 10976.

PART 1418—TERRITORIES AND POSSESSIONS
[RMPR 373,¹ Amdt. 25]

TIRES AND TUBES IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Table C-II under Appendix C of Section 23 is amended by deleting the item: "11.00-20 \$41.00 \$14.40" and by adding the same item to Table C-III between these items: "10.50-24 \$43.45 \$14.40" and "11.00-24 \$43.45 \$14.40".

This amendment shall become effective as of August 17, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16845; Filed, Sept. 10, 1945;
12:02 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMPR 395,² Amdt. 9]

ADDITION OF MUNICIPAL TAXES TO PRICES IN VIRGIN ISLANDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7a is added to read as follows:

Sec. 7a. Addition of municipal taxes. The seller may add to the applicable maximum prices established by this regulation, or by any order issued or to be issued under it, an amount not in excess of any excise or sales tax imposed in the Virgin Islands, if the seller has paid or incurred such tax, and if he separately states the amount of the tax in sales to all purchasers.

This amendment shall become effective as of August 1, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16846; Filed, Sept. 10, 1945;
12:02 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,³ Amdt. 67]

HOUSING

The Rent Regulation for Housing is amended in the following respects:

1. Section 2 (b) of the Rent Regulation for Housing is eliminated.

2. Section 2 (d) (1) is amended to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any con-

¹ 10 F.R. 6646, 7407, 7794, 7799, 8020, 8069, 8371, 8979, 9273, 9274, 9275, 9466, 9540, 9620, 9618, 9882, 9928, 10085, 10086, 10086, 10125, 10086, 10229.

² 10 F.R. 5941, 6946, 7799, 8069, 8899, 9227, 9925.

³ 10 F.R. 3436, 3555, 3951, 4714, 4713, 5089, 5577, 5603, 6074, 6400, 7853, 7849, 8017.

tract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

3. Section 5 (a) (5) is amended to read as follows:

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date.

4. Section 5 (a) (6) is amended to read as follows:

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

5. Section 5 (c) (5) is amended to read as follows:

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement.

6. Section 5 (d) is amended to read as follows:

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the

services, furniture, furnishings, and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the services, furniture, furnishings and equipment included in such rent.

7. Section 6 (a) (1) is amended to read as follows:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year, or if the lease was for a term of more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

8. Section 6 (a) (5) is eliminated.

9. Section 6 (a) (6) is amended to read as follows:

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation (or prior to October 20, 1942 where the effective date of regulation is prior to that date, or prior to November 6, 1942 for housing accommodations within the Hastings Defense-Rental Area), and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

10. Section 6 (b) (1) is amended to read as follows:

(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six

months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in the particular area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

11. The first paragraph of section 6 (b) (2) (i) is amended to read as follows:

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in the particular defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

12. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, or (d) the purchaser has, during the period of the war emergency, served in the armed forces of the United States and requires possession of the accommodations for the adequate housing of himself and family, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than six or three months as the case may be in any particular area after the date of filing of the petition.

13. The third paragraph of section 7 (a) is amended to read as follows:

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such

change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

14. The first paragraph of section 7 (d) (4) is amended to read as follows:

(4) Where, since the filing of the notice of maximum rent or the registration statement but prior to June 1, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before June 25, 1945 shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after June 1, 1945 the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph.

15. Section 9 (b) is amended to read as follows:

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

16. The unnumbered third paragraph of section 5 is amended to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (c) (6), and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided*, That in cases under paragraphs (a) (6) and (c) (5) of this section the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent: *And provided further*, That in cases under paragraph (c) (8) of this section due consideration shall be given to any increased occupancy of the accommodations since that date by subtenants or

other persons occupying under a rental agreement with the tenant.

This amendment shall become effective September 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16895; Filed, Sept. 10, 1945;
4:52 p. m.]

PART 1388—DEFENSE RENTAL AREAS

[Housing, New York City, Amdt. 20]

HOUSING IN NEW YORK CITY

The Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. Section 2 (b) is eliminated.
2. Section 2 (d) (1) is amended to read as follows:

(d) *Security deposits*—(1) *General prohibition*. Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the Defense-Rental Area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

3. The second unnumbered paragraph of section 5 is amended to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (a) (13), (c) (6), (c) (8) and (c) (9) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943; *Provided*, That in cases under paragraphs (a) (6) and (c) (5) of this section the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent.

4. Section 5 (a) (5) is amended to read as follows:

(5) *Lease for term commencing one year or more before March 1, 1943*. There was in force on March 1, 1943, a written lease, for a term commencing on or prior to March 1, 1942, requiring a rent lower than the rent generally prevailing in the defense-rental area for

comparable housing accommodations on March 1, 1943; or the housing accommodations were not rented on March 1, 1943, but were rented during January or February, 1943 and the last rent for such accommodations during that two-month period was fixed by a written lease, for a term commencing on or prior to March 1, 1942, requiring a rent lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943.

5. Section 5 (a) (6) is amended to read as follows:

(6) *Varying rents*. The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

6. Section 5 (c) (5) is amended to read as follows:

(5) *Varying rents*. The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement: *Provided*, That this subparagraph shall not apply to cases covered by paragraph (c) (8) of this section.

7. Section 5 (d) is amended to read as follows:

(d) *Orders where facts are in dispute, in doubt, or not known*. If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed on or before November 30, 1943, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on March 1, 1943, and, where appropriate, may determine the services, furniture, furnishings and equipment included in such rent.

8. Section 6 (a) (1) is amended to read as follows:

(1) *Tenant's refusal to renew lease*. The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year, or if the lease was for a term of more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the pre-

vious lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

9. Section 6 (a) (5) is eliminated.

10. Section 6 (a) (6) is amended to read as follows:

(6) *Occupancy by landlord*. The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to November 1, 1943, and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

11. Section 6 (b) (1) is amended to read as follows:

(1) *Removals not inconsistent with act or regulation*. No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in this area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

12. The first paragraph of section 6 (b) (2) (i) is amended to read as follows:

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in this defense-

rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

13. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, or (d) the purchaser has, during the period of the war emergency, served in the armed forces of the United States and requires possession of the accommodations for the adequate housing of himself and family, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or the purchaser to pursue his remedies for removal or eviction of the tenant at a time less than six or three months as the case may be in this area after the date of filing of the petition.

14. The second unnumbered paragraph of section 7 (a) is amended to read as follows:

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

15. Section 9 (b) is amended to read as follows:

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

This amendment shall become effective September 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Budget Bureau in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16892; Filed, Sept. 10, 1945;
4:51 p. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County,¹ Amdt. 13]

HOUSING IN ATLANTIC COUNTY, N. J.

The Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. Section 2 (b) is eliminated.

2. Section 2 (d) (1) is amended to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the defense-rental area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

3. The unnumbered third paragraph of section 5 is amended to read as follows:

In all other cases except those under paragraphs (a) (7), (a) (12), (a) 13, (c) (6), and (c) 8) of this section, the adjustment shall be on the basis of the rent which the Administrator finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date: *Provided*, That in cases under paragraphs (a) (6) and (c) (5) of this section the adjustment may be on the basis of the rental agreement in force on the date determining the maximum rent.

4. Section 5 (a) (5) is amended to read as follows:

(5) *Lease for term commencing one year or more before maximum rent date.* There was in force on the maximum rent date, a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the Defense-Rental Area for comparable housing accommodations on the maximum rent date; or the housing accommodations were not rented on the maximum rent date, but were rented during the two months ending on that date and the last rent for such accom-

modations during that two-month period was fixed by a written lease, for a term commencing on or prior to the date one year before the maximum rent date, requiring a rent lower than the rent generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date.

5. Section 5 (a) (6) is amended to read as follows:

(6) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a higher rent at other periods during the term of such lease or agreement.

6. Section 5 (c) (5) is amended to read as follows:

(5) *Varying rents.* The rent on the date determining the maximum rent was established by a lease or other rental agreement which provided for a lower rent at other periods during the term of such lease or agreement.

7. Section 5 (d) is amended to read as follows:

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations on the maximum rent date and, where appropriate, may determine the services, furniture, furnishings, and equipment included in such rents.

8. Section 6 (a) (1) is amended to read as follows:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year, or if the lease was for a term of more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

9. Section 6 (a) (5) is eliminated.

10. Section 6 (a) (6) is amended to read as follows:

¹ 9 F.R. 6819, 8054, 10189, 10634, 11349, 12415, 14987; 10 F.R. 330, 1452, 1911, 1973, 2402, 2617.

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of, the housing accommodations prior to the effective date of regulation, and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

11. Section 6 (b) (1) is amended to read as follows:

(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in this area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the petitioner establishes, that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

12. The first paragraph of section 6 (b) (2) (i) is amended to read as follows:

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in this defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

13. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, or (d) the purchaser has, during the period of the war emergency, served in the armed forces of the United States and requires possession of the accommodations for the adequate housing of himself and family, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than six or three months as the case may be in this area after the date of filing of the petition.

14. The third paragraph of section 7 (a) is amended to read as follows:

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement, the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

15. Section 9 (b) is amended to read as follows:

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

This amendment shall become effective September 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16893; Filed, Sept. 10, 1945; 4:51 p. m.]

PART 1388—DEFENSE-RENTAL AREAS
[Housing, Miami,¹ Amdt. 17]

HOUSING IN MIAMI, FLA.

The Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. Section 2 (b) is eliminated.
2. Section 2 (d) (1) is amended to read as follows:

(d) *Security deposits*—(1) *General prohibition.* Regardless of any contract, agreement, lease or other obligation heretofore or hereafter entered into, no person on or after September 1, 1944 shall demand or receive a security deposit for or in connection with the use or occupancy of housing accommodations within the defense-rental area or retain any security deposit received prior to or on or after September 1, 1944 except as provided in this paragraph (d). The term "security deposit," in addition to its customary meaning, includes any prepayment of rent except payment in advance of the next periodic installment of rent for a period no longer than one month but shall not include rent voluntarily prepaid subsequent to possession by a tenant under a written lease for his own convenience.

3. Section 5 (a) (5) is amended to read as follows:

(5) *Written lease for term commencing on or prior to September 1, 1941.* There was in force on September 1, 1943, or during some portion of the year ending on August 31, 1943, a written lease for a term commencing on or prior to September 1, 1941, and as a result the maximum rent for the housing accommodations is lower than the maximum rent generally prevailing in the defense-rental area for comparable housing accommodations.

4. Section 5 (d) is amended to read as follows:

(d) *Orders where facts are in dispute, in doubt, or not known.* If the rent on the date determining the maximum rent, or any other fact necessary to the determination of the maximum rent, or the services, furniture, furnishings or equipment provided with the accommodations on the date determining the maximum rent, is in dispute between the landlord and the tenant, or is in doubt, or is not known, the Administrator on petition of the landlord filed within thirty days after the effective date of regulation, or at any time on his own initiative, may enter an order fixing the maximum rent by determining such fact, or determining the services, furniture, furnishings and equipment provided with the accommodations on the date determining the maximum rent or both. If the Administrator is unable to ascertain such fact, or facts, he shall enter the order on the basis of the maximum rent which he finds was generally prevailing in the defense-rental area for comparable housing accommodations, and, where appropriate, may determine the services, fur-

¹ 9 F.R. 14994; 10 F.R. 331, 1973, 2403, 2872, 5090.

niture, furnishings and equipment included in such rent.

5. Section 6 (a) (1) is amended to read as follows:

(1) *Tenant's refusal to renew lease.* The tenant, who had a written lease or other written rental agreement, has refused upon demand of the landlord to execute a written extension or renewal thereof for a further term of like duration but not in excess of one year, or if the lease was for a term of more than three months and was non-seasonal in character, for a term of not more than one year, for a rent not in excess of the maximum rent, but otherwise on the same terms and conditions as the previous lease or agreement, except insofar as such terms and conditions are inconsistent with this regulation; or

6. Section 6 (a) (5) is eliminated.

7. Section 6 (a) (6) is amended to read as follows:

(6) *Occupancy by landlord.* The landlord owned, or acquired an enforceable right to buy or the right to possession of the housing accommodations prior to September 15, 1943 (or, for housing accommodations in the City of Hollywood and the Town of Hallandale in the County of Broward, prior to October 15, 1943), and has an immediate compelling necessity to recover possession of such accommodations for use and occupancy as a dwelling for himself, or has served during the period of the war emergency in the armed forces of the United States and in good faith seeks possession for his own occupancy. If a tenant has been removed or evicted under this paragraph (a) (6) from housing accommodations, the landlord shall file a written report on a form provided therefor before renting the accommodations or any part thereof during a period of six months after such removal or eviction.

8. Section 6 (b) (1) is amended to read as follows:

(1) *Removals not inconsistent with act or regulation.* No tenant shall be removed or evicted on grounds other than those stated above unless, on petition of the landlord, the Administrator certifies that the landlord may pursue his remedies in accordance with the requirements of the local law. The Administrator shall so certify if the landlord establishes that removals or evictions of the character proposed are not inconsistent with the purposes of the Act or this regulation and would not be likely to result in the circumvention or evasion thereof. The certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition unless the Area Rent Director has determined that a three months' period is adequate for the purposes of the act in this area in issuing certificates under section 6 (b) (2), in which event the applicable period shall be three months. Within the discretion of the Area Rent Director the certificate may authorize the pursuit of local remedies for the removal or eviction of the tenant at a time less than six or three months, as the case may be, after the date of the filing of the petition if the

petitioner establishes that unusual hardship would otherwise result, or that a lesser period in the particular case is consistent with the purposes of the regulation and the act.

9. The first paragraph of section 6 (b) (2) (i) is amended to read as follows:

(i) Where the Administrator finds that the payment or payments of principal made by the purchaser aggregate twenty per cent or more of the purchase price, he shall, on petition of either the vendor or purchaser issue a certificate authorizing the vendor or purchaser to pursue his remedies for removal or eviction of the tenant in accordance with the requirements of the local law. Except as herein provided and unless the Area Rent Director shall determine that a three months' period is adequate for the purposes of the act in this defense-rental area, the certificate shall authorize the pursuit of local remedies at the expiration of six months after the date of filing of the petition.

10. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, or (d) the purchaser has, during the period of the war emergency, served in the armed forces of the United States and requires possession of the accommodations for the adequate housing of himself and family, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at a time less than six or three months as the case may be in this area after the date of filing of the petition.

11. The fourth paragraph of section 7 (a) is amended to read as follows:

Where, since the filing of the registration statement but prior to May 5, 1945, there has been a change in the identity of the landlord, by transfer of title or otherwise, the present landlord, on or before May 31, 1945, shall file a notice of such change on a form provided for that purpose, to be known as a notice of change in identity. Where such change occurs on or after May 5, 1945, or the effective date of regulation, whichever is the later, the new landlord shall file such notice within thirty days after the change: *Provided*, That this sentence shall not apply where a petition has been filed under section 6 (b) (2) seeking a certificate for occupancy by the new landlord. If the new landlord indicates on the notice of change in identity that he has not obtained the landlord's copy of the original registration statement the Administrator shall cause to be prepared and delivered to him a true copy of said original, which may be used to satisfy all requirements of this paragraph (a).

12. Section 9 (b) is amended to read as follows:

(b) *Purchase of property as condition of renting.* Specifically, but without limitation on the foregoing, no person shall require a tenant or prospective tenant to purchase or agree to purchase furniture or any other property as a condition of renting housing accommodations unless the prior written consent of the Administrator is obtained.

This amendment shall become effective September 15, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16894; Filed, Sept. 10, 1945; 4:51 p. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 1,¹ Amdt. 1 to Order 2]

PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

LOCATION OF DISPOSAL AGENCY OFFICES (TERRITORIES AND POSSESSIONS)

Surplus Property Board Regulation 1, Order 2 (10 F.R. 3769), issued April 2, 1945, effective May 1, 1945, entitled "Location of Disposal Agency Offices," is hereby amended by amending section 5 thereof to read as follows:

SEC. 5. Declarations of surplus personal property located in the territories and possessions of the United States shall be filed at the following offices of the appropriate disposal agencies designated in § 8301.6:

RECONSTRUCTION FINANCE CORPORATION

Hawaii and all Pacific Ocean Territories and Possessions: Reconstruction Finance Corporation, P. O. Box 3738, Honolulu, T. H.
Alaska: Reconstruction Finance Corporation, Box 1349, Fairbanks, Alaska.
Puerto Rico and Virgin Islands: Aircraft: Reconstruction Finance Corporation, Washington 25, D. C.
Aircraft Parts: Reconstruction Finance Corporation, Federal Reserve Bank Building, Cleveland 1, Ohio.

MARITIME COMMISSION

United States Maritime Commission, Washington 25, D. C.

WAR FOOD ADMINISTRATION

Commodity Credit Corporation, Department of Agriculture, Washington 25, D. C.

DEPARTMENT OF THE INTERIOR

Hawaii and all Pacific Ocean Territories and Possessions: Department of the Interior, Surplus Property Office, Honolulu, T. H.
Alaska: Department of the Interior, Surplus Property Office, Anchorage, Alaska.
Puerto Rico and Virgin Islands: Department of the Interior, Surplus Property Office, San Juan, Puerto Rico.

¹ 10 F.R. 3764, 4356, 10398.

This amendment shall become effective September 15, 1945.

SURPLUS PROPERTY BOARD,
By W. STUART SYMINGTON,
Chairman.

SEPTEMBER 7, 1945.

[F. R. Doc. 45-16939; Filed, Sept. 11, 1945;
11:35 a. m.]

[SPB Reg. 2,¹ Order 2]

**PART 8302—PRIORITIES OF GOVERNMENT
AGENCIES AND STATE OR LOCAL GOVERNMENTS**

**EXEMPTION FROM THIS PART OF OFFICE OF
CIVILIAN DEFENSE PROPERTY LOANED TO
STATE AND LOCAL GOVERNMENTS**

During the war the Office of Civilian Defense loaned to the several States and to their political subdivisions certain items of property for purposes of air raid protection. A large amount of this property remains in the custody of the States and the political subdivisions to which it was loaned, and it will entail heavy expense to the Government to require the preparation of inventories and reports and to offer this property to Government agencies and State and local governments in accordance with this part.

The Department of Commerce, as disposal agency, has applied to the Surplus Property Board for an exemption from the requirements of this part for this property on the ground that it is impracticable and uneconomical to require its disposal of this property according to such requirements. The Department of Commerce believes the quantities of this property are clearly in excess of the needs of Government agencies.

Pursuant to § 8302.5 (b) (4) and in reliance upon the findings of the Department of Commerce referred to above, *It is hereby ordered, That:*

The Department of Commerce, as disposal agency, is hereby authorized to dispose of without regard for the provisions of this part to the States and their political subdivisions any items of property originally loaned by the Office of Civilian Defense to such States or political subdivisions.

This order shall become effective September 7, 1945.

SURPLUS PROPERTY BOARD,
By W. STUART SYMINGTON,
Chairman.

SEPTEMBER 7, 1945.

[F. R. Doc. 45-16940; Filed, Sept. 11, 1945;
11:35 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

PART 251—LAND USES

PERMITS FOR ROADS AND TRAILS

By virtue of the authority vested in the Secretary of Agriculture by the act of June 4, 1897 (30 Stat. 35, 16 U.S.C. 551), and the act of February 1, 1905 (33 Stat.

628, 16 U.S.C. 472), Regulation U-14 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes § 251.5, Part 251, Chapter II, Title 36, Code of Federal Regulations, is amended to read as follows:

§ 251.5 *Permits for roads and trails.* Rights-of-way over national forest land for State or county highways or roads which are a part of an approved system of public roads shall be 132 feet in width in the case of Federal Aid and State highways and 66 feet in width in the case of county and community roads or other roads of a secondary character. The center line of the highway or road shall be the center line of the right-of-way except where otherwise provided by the permit. Rights-of-way in excess of 132 feet in width may be authorized only with the specific approval of the regional forester. National forest lands on which a highway or road right-of-way is located shall continue to be administered by the Forest Service but their use for highway or road purposes shall be dominant, and no use or occupancy thereof for other purposes shall be authorized unless concurred in by the appropriate State or county official, except that in the event agreement cannot be reached regarding such other use or occupancy as is essential to the proper use and management of national forests, the matter shall be submitted to the Secretary of Agriculture for decision. Direction and caution signs shall be erected and maintained by the State or county highway department. Information signs shall be approved by the Forest Service prior to erection.

Approval by the Secretary of Agriculture of a forest highway construction program shall constitute authorization for the occupancy of national forest lands for the highways included in such construction program, but where a special use permit for a project included within a forest highway program is desired by a State or county to meet legal or fiscal requirements, or for the execution of road contracts, a permit shall be issued by the regional forester and shall contain such stipulations as may be necessary to protect national forest interests.

Except as provided in the preceding paragraph, no highway or road shall be constructed on national forest land unless or until the occupancy of said land for highway or road purposes shall have been authorized by permit. Application for permit to construct a highway or road shall be filed with the forest supervisor and shall be accompanied by a plat showing the precise location of the proposed highway or road. The forest supervisor shall then determine the effect of the proposed highway or road on the national forest and the changes in location or other features that may be necessary to safeguard the national forest, recording his findings in appropriate form and manner. Permits for State and county highways or roads of similar importance shall be issued by the regional forester. Forest supervisors may be authorized by the regional forester to issue permits for roads of lesser import-

ance within such limitations as the regional forester may prescribe.

Trails may be constructed without permit upon consent and under the supervision of a forest officer, except that in the national forests in Alaska such consent and supervision will not be required.

No toll shall be charged for the use of roads or trails over national forest lands, and they shall be open to free public use unless otherwise authorized by the Chief of the Forest Service. Roads built at private expense may be temporarily closed to public use by order of the regional forester, if their unrestricted use endangers public safety and property or interferes with the primary purpose for which they were built.

Roads across national forest lands which are not parts of State or county highway systems and which are constructed and maintained wholly at the expense of the Federal Government and its private cooperators may be designated by the regional forester as "special service" roads, and public use of such roads may be prohibited or regulated by the regional forester when necessary to the public interest.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 10th day of September, 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16825; Filed, Sept. 10, 1945;
11:05 a. m.]

**TITLE 49—TRANSPORTATION AND
RAILROADS**

**Chapter II—Office of Defense
Transportation**

[Administrative Order ODT 19, Revocation]

PART 503—ADMINISTRATION

**TRANSPORTATION OF DAIRY PRODUCTS BY
COMMERCIAL MOTOR VEHICLES**

Pursuant to Executive Orders 8989, as amended, and 9156, Administrative Order ODT 19, §§ 503.385 to 503.398, inclusive (9 F.R. 2693), is hereby revoked effective November 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 11th day of September 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-16943; Filed, Sept. 11, 1945;
11:49 a. m.]

[Administrative Order ODT 26, Revocation]

PART 503—ADMINISTRATION

**TRANSPORTATION OF FARM PRODUCTS BY
COMMERCIAL MOTOR VEHICLES FROM PRO-
DUCING AREAS**

Pursuant to Executive Orders 8989, as amended, and 9156, Administrative Order ODT 26, §§ 503.450 to 503.464, in-

¹ 10 F.R. 5104, 8911, 9478, 9886.

clusive (9 F.R. 7456), is hereby revoked effective November 1, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 11th day of September 1945.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 45-16944; Filed, Sept. 11, 1945;
11:49 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Farm Security Administration.

FRANKLIN COUNTY, IND.

DESIGNATION OF LOCALITIES AND DETERMINATION OF AVERAGE VALUE OF FARMS

In accordance with the War Food Administrator's delegation of authority to the Administrator of the Farm Security Administration issued August 2, 1944, 9 F.R. 9389, as extended by Executive Order 9577 issued June 29, 1945, 10 F.R. 8087, for the purpose of making loans under Title I of the Bankhead-Jones Farm Tenant Act, the value of the average farm unit of 30 acres or more within each of the localities designated below, as determined by the 1940 farm census, is as follows:

REGION III

INDIANA

Franklin County

Locality I, consisting of Butler, Highland, Metamora, Ray, and Salt Creek Townships	\$3, 716
Locality II, consisting of Bath, Blooming Grove, Fairfield, Laurel, and Posey Townships	6, 664
Locality III, consisting of Brookville, Springfield, and Whitewater Townships	7, 976

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: September 10, 1945.

[SEAL] FRANK HANCOCK,
Administrator.

[F. R. Doc. 45-16876; Filed, Sept. 10, 1945;
3:18 p. m.]

Production and Marketing Administration.

PRODUCTION OF SUGAR CANE IN PUERTO RICO AND VIRGIN ISLANDS

NOTICE OF HEARINGS WITH RESPECT TO WAGE RATES

Pursuant to the authority contained in subsections (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress), as amended, notice is hereby given that public hearings will be held at San Juan, Puerto Rico, in the Auditorium of the Insular Department of Agriculture and Commerce on September 20, 1945, at 9:30 a. m. and at Christiansted, St. Croix,

Virgin Islands, in the Municipal Council Hall, on September 24, 1945 at 9:30 a. m.

The purpose of such hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of subsection (b) of section 301 of the said act, fair and reasonable wage rates to be paid in Puerto Rico and in the Virgin Islands to persons employed in connection with the production, cultivation, or harvesting of sugarcane during the calendar year 1946 on farms with respect to which applications for payment under the said act are made, and (2), pursuant to the provisions of subsection (d) of section 301 of the said act, fair and reasonable prices for sugarcane of the 1945-46 crop in Puerto Rico and the 1946 crop in the Virgin Islands to be paid, under either purchase or toll agreements, by persons who, as producers, apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary of Agriculture in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

These hearings, after being called to order at the time and place mentioned herein, may be continued from day to day within the discretion of the presiding officers, and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearings by the presiding officers.

C. M. Nicholson, H. H. Simpson, and G. Laguardia are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearings.

Issued this 10th day of September 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-16874; Filed, Sept. 10, 1945;
3:18 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that the special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and

expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Bound Brook Novelty Company, 324 Talmadge Avenue, Bound Brook, New Jersey; boys' wash suits; two (2) learners; (T); effective September 1, 1945, expiring August 31, 1946.

Dixie Shirt Company, Inc., Spartanburg, South Carolina; men's dress shirts; 10 percent (T); effective August 29, 1945, expiring August 28, 1946.

Dixie Shirt Company, Inc., Greenville, South Carolina; men's dress shirts; 10 percent (T); effective September 10, 1945, expiring September 9, 1946.

Industrial Undergarment Corporation, 340 Mill Street, Poughkeepsie, New York; ladies' and misses' slips; 10 percent (T); effective September 1, 1945, expiring August 31, 1946.

Sport-Life Sport Wear, Schuylkill County, Sheppton, Pennsylvania; boys' dress shirts and sports shirts; twenty-five (25) learners (E); effective September 8, 1945, expiring March 7, 1946.

Cigar Industry Learner Regulations, April 22, 1944 (9 F.R. 4330).

General Cigar Company, Inc., 205 Court Street, Evansville, Indiana; cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; machine stripping for a learning period of 160 hours at 30 cents per hour; effective September 9, 1945, expiring September 8, 1946.

General Cigar Company, Inc., 5th and Hickory Streets, Mt. Carmel, Pennsylvania; cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; effective September 7, 1945, expiring September 6, 1946.

General Cigar Company, Inc., 17 South Grant Street, Shenandoah, Pennsylvania; cigars; 10 percent (T); hand cigar making for a learning period of 960 hours at 30 cents per hour for the first 480 hours, and 35 cents per hour for the remaining 480 hours; cigar packing for a learning period of 320 hours at 30 cents per hour; effective September 8, 1945, expiring September 7, 1946.

Jno. H. Swisher & Son, Inc., 16th and Ionia Streets, Jacksonville, Florida; cigars; 10 percent (T); stripping machine operators for a learning period of 160 hours at 30 cents per hour; cigar machine operators for a learning period of 320 hours at 30 cents per hour; cigar packing for a learning period of 160 hours at 30 cents per hour; effective August 31, 1945, expiring August 30, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Fort Payne Hosiery Mills, Inc., Fort Payne, Alabama; seamless hosiery; 10 percent (E); effective September 9, 1945, expiring March 8, 1946.

Unique Knitting Company, Acworth, Georgia; seamless hosiery; twenty-four (24) learners (E); effective August 29, 1945, expiring January 22, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

Florida Telephone Corporation, Eustis, Florida (T); effective September 7, 1945, expiring September 6, 1946.

Florida Telephone Corporation, Live Oak, Florida (T); effective September 7, 1945, expiring September 6, 1946.

Florida Telephone Corporation, Leesburg, Florida (T); effective September 7, 1945, expiring September 6, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

International Telephone Company, International Falls, Minnesota (T); effective September 8, 1945, expiring September 7, 1946.

Lexington Telephone Company, Buena Vista, Virginia (T); effective September 6, 1945, expiring September 5, 1946.

Lexington Telephone Company, Lexington, Virginia (T); effective September 6, 1945, expiring September 5, 1946.

Regulations, Part 522—Regulations Applicable to the Employment of Learners (supra).

The Huse Publishing Company, 116 N. 4th St., Norfolk, Nebraska; Publishers, Printing and Book-Binding; seven (7) learners; Linotype operator, Pressman for a learning period of 480 hours at 30 cents per hour; Compositor, Proofreader for a learning period of 480 hours at 30 cents per hour; Engraver and Bindery worker for a learning period of 480 hours at 30 cents per hour; effective August 30, 1945, expiring March 15, 1946.

Kansas Bank Note Company, 5th & Jefferson Streets, Fredonia, Kansas; Job Printing and Lithography; four (4) learners; Bindery girl for a learning period of 480 hours at 35 cents per hour; Press feeder for a learning period of 480 hours at 35 cents per hour; effective August 29, 1945, expiring November 29, 1945.

Runkle Company, 901 S. Wayne Street, Kenton, Ohio; Candies, Cookies, Chocolates; six (6) learners; candy strikers for a learning period of 240 hours at 35 cents per hour; fancy chocolate packers for a learning period of 240 hours at 35 cents per hour; effective September 4, 1945, expiring December 11, 1945.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 7th day of August 1945.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 45-16836; Filed, Sept. 10, 1945; 11:19 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-658]

CONSOLIDATED GAS UTILITIES CORP.

NOTICE OF APPLICATION

SEPTEMBER 10, 1945.

Notice is hereby given that on August 31, 1945, an application was filed with the Federal Power Commission by Consolidated Gas Utilities Corporation ("Applicant"), a Delaware corporation with

its principal place of business at Oklahoma City, Oklahoma, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize Applicant to construct, drill and operate certain facilities, hereinafter more particularly described.

Applicant owns and operates certain natural-gas pipeline systems in Texas, Oklahoma and Kansas, including a natural-gas pipeline system extending from Humboldt, Kansas, to Sycamore, Kansas, from which Applicant delivers natural gas for distribution in the municipalities of Chanute, Neodesha and Humboldt and to certain industrial customers. The natural gas so delivered consists, in part, of gas which originates in Kansas and, in part, of gas which originates in Texas and Oklahoma, whence it is transported by Cities Service Gas Company which sells the same to Applicant at a point of connection in Wilson County, Kansas, with Applicant's Humboldt-Sycamore system.

The facilities which Applicant seeks authorization to construct, drill and operate are the following:

(1) A maximum of approximately 9 injection and withdrawal wells to a depth of approximately 950 feet, for the development and operation of an underground gas storage reservoir, referred to as "Sutcliffe Storage," covering an area of approximately 1,200 acres in Wilson and Neosho Counties, Kansas, adjacent to Applicant's 8-inch gas transmission pipeline in its Humboldt-Sycamore system;

(2) A 6½-inch O. D. steel pipeline, approximately 1,900 feet in length, commencing at Applicant's said 8-inch transmission line near the southwest corner of the northwest quarter of Section 23, Township 28 South, Range 17 East, Neosho County, Kansas, and extending in a southeasterly direction to a central point in the area of the underground gas storage reservoir, to be used to transport gas to and from such reservoir; and approximately 1,500 feet of 4½-inch O. D. steel pipe, to connect the injection and withdrawal wells with the aforementioned 6½-inch pipeline;

(3) 2 orifice meter stations and 2 regulator stations, to be used respectively to measure gas injected and withdrawn from the reservoir and to control pressures at which gas will be delivered therefrom; and appurtenant equipment.

The application recites that the aforementioned storage project is needed to provide an additional supply of gas on its Humboldt, Kansas, to Sycamore, Kansas, pipeline system during periods of peak demand; that the gas to be injected into the "Sutcliffe Storage" will be obtained from numerous small gas wells connected to said system and from Cities Service Gas Company; that the capacity of the "Sutcliffe Storage" when restored to the original pressure of 300 pounds will be 200,000 Mcf; that the maximum capacity of the above-described facilities which Applicant proposes to construct will be approximately 4,000 Mcf of gas per day; that the estimated maximum quantity of gas which will be delivered through such facilities on the peak day

of any year will be 3,000 Mcf; and that the minimum daily quantity of gas which will be delivered through such facilities will be approximately 500 Mcf.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 25th day of September, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-16840; Filed, Sept. 10, 1945; 11:57 a. m.]

[Docket No. G-660]

TENNESSEE GAS AND TRANSMISSION CO.

NOTICE OF APPLICATION

SEPTEMBER 8, 1945.

Notice is hereby given that on September 5, 1945, Tennessee Gas and Transmission Company (Applicant), a Tennessee Corporation, having its principal place of business at Houston, Texas, filed with the Federal Power Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 95 miles of 16-inch O. D. pipeline, extending from the San Salvador field in Hidalgo County, Texas, in a general northeasterly direction to a point of connection with Applicant's main transmission pipeline in Nueces County, Texas, together with a dehydration plant to be operated in connection therewith.

The application recites that the proposed pipeline known as the "San Salvador Project" was previously considered by the Commission in an application filed by Applicant in Docket No. G-621, the Commission, by its order of June 8, 1945, dismissing without prejudice the application for authority to construct and operate the facilities involved in that project, such facilities being the subject of the present application.

It is asserted that when the Commission considered this matter previously, Applicant contemplated that the proposed pipeline would be operated at a small percent of its capacity. However, Applicant states that it is now in a position to operate such pipeline at its full capacity.

The estimated capacity of the proposed pipeline is approximately 99.4 million cubic feet per day at a pressure base of 15,025 pounds. The maximum operating pressure is 1,012 p. s. i. gauge. The proposed dehydration plant will be operated so that it will be capable of dehydrating the capacity of the proposed pipeline.

Regarding the gas supply for the proposed facilities, applicant recites that it has contractual arrangements with the Gulf States Oil Company whereby the latter will sell natural gas received from the San Salvador Field to applicant. It is also claimed that gas reserves are also available along the proposed facilities from The Chicago Corporation or its

nominees in the Los Indios, La Reforma and Seeligson fields. Applicant is also negotiating with Magnolia Petroleum Company, Transwestern Oil Company, Sinclair-Prairie Oil Company and other operators in the Seeligson field for the purchase of a minimum of 20,000 Mcf per day of casinghead gas which is presently being vented to the air for lack of a market. Applicant claims that it may be possible to purchase vent gas from other fields such as La Gloria, Tijerina and Canales fields.

The estimated over-all capital cost of the proposed facilities is \$2,260,442.00. Applicant proposes to submit a plan of financing such facilities as well as a firm commitment from responsible sources for such financing.

According to the application, it is urged that the construction and operation of the proposed facilities is necessary in order to prevent interruptions of service due to restrictive orders of the Railroad Commission of Texas which have been issued affecting Applicant's present sources of gas supply.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 26th day of September, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-16841; Filed, Sept. 10, 1945;
11:58 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 1039]

RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.—KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Mo.—Kan., August 31, 1945, by Cochrane Brokerage Company, of cars ART 17207 and PFE 90456, potatoes, now on the Union Pacific Railroad, to Carey Fruit Company, Coffeyville, Kansas (A. T. & S. F.), and Wright Company, Dallas, Texas, (MKT).

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16826; Filed, Sept. 10, 1945;
11:18 a. m.]

[2d Rev. S. O. 300, Special Permit 47]

ICING OF POTATOES AT NEW YORK AND BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing at 60th Street, New York, N. Y. (NYC), and one reicing in transit only, at Buffalo (Gardenville), N. Y. (NYC), on 34 cars of potatoes to move from points on the Long Island Railroad between September 6 and 11, 1945, inclusive, consigned to U. S. Army Q. M. Market Center, New Orleans, Louisiana, for export (LI-NYC-GM&O), as requested by U. S. Army.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16827; Filed, Sept. 10, 1945;
11:18 a. m.]

[2d Rev. S. O. 300, Special Permit 48]

ICING OF POTATOES AT JERSEY CITY, N. J., AND CINCINNATI, OHIO

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Second Revised Service Order No. 300 (10 F.R. 6802), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Second Revised Service Order No. 300 insofar as it applies to the furnishing of initial icing at Jersey City, N. J. (B&O) and one reicing in transit only, at Cincinnati (Brightwood), Ohio (B&O), on 22 cars of potatoes to move from points on the Long Island Railroad, between September 6 and 9, 1945, inclusive, consigned to U. S. Army Q. M. Market Center, New Orleans, Louisiana, for export (LI-B&O-L&N), as requested by U. S. Army.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16828; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 345, Special Permit 12]

REICING OF POTATOES AT FT. WORTH, TEX.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Revised Service Order No. 345 (10 F.R. 10034), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 345 insofar as it applies to the furnishing of one additional reicing in transit only, August 31 or September 1, 1945, at Ft. Worth, Texas (on St. L-S.F. Railroad), on car IC 54147, potatoes, as requested by Pacific Fruit Express Company, account car sent to Ft. Worth in error, and back hauled to billed destination at Ft. Smith, Ark.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of August 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16829; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 345, Special Permit 13]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (g) of the first ordering paragraph of Revised Service Order No. 345 (10 F.R. 10034), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 345 insofar as it applies to the reicing, one time only, with not to exceed 6,000 pounds of ice, at Chicago, Illinois, September 5, 1945, of car PFE 94900, potatoes,

on the C&NW Railroad at Wood Street, as requested by Garibaldi & Cuneo.
The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16830; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 346, Special Permit 17]

ICING OF PEAS AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of not to exceed 5,000 pounds of retop ice, one time only, September 4, 1945, on car MDT 19383, peas, now at 37th Street Station, New York, N. Y., on the Pennsylvania Railroad, as requested by Justman & Frankenthal.

The way bill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16831; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 346, Special Permit 18]

ICING OF MIXED VEGETABLES AT JERSEY CITY, N. J., AND NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies

to the furnishing of not to exceed five thousand (5,000) pounds of retop ice per car, one time only, September 4, 1945, on MDT 22393, peas, MDT 20351, mixed vegetables, NRC 7690 and PFE 73414, both lettuce, all four cars on C. of N. J. (B&O) at Jersey City, N. J., and on PFE 29184, carrots, at 26th Street Team Tracks, New York, N. Y. (B&O), as ordered by Tassini & Salisch.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16832; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 346, Special Permit 19]

ICING OF LETTUCE AT COUNCIL BLUFFS, IOWA

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of one additional retop icing in transit, one time only, at Council Bluffs, Iowa (U.P.), on car URT 27074, lettuce, which, account bad order was transferred from PFE 17168, as requested by Union Pacific Railroad. The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 4th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16833; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 346, Special Permit 20]

ICING OF LETTUCE AT AVONDALE, LA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the retop icing with 8,000 pounds of retop ice, one time only, September 5 or 6, 1945, at Avondale, Louisiana, of cars SFRD 25335, lettuce, consigned to Neider & Hirsch, Tampa, Florida, and SFRD 24214, lettuce, consigned to Kaler Produce Company, Miami, Florida, account no icing station east of Mississippi River en route.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16834; Filed, Sept. 10, 1945;
11:18 a. m.]

[Rev. S. O. 346, Special Permit 21]

ICING OF LETTUCE

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 346 (10 F.R. 10035), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 346 insofar as it applies to the furnishing of one (1) additional retop icing, on the Union Pacific Railroad, not later than September 6, 1945, on car PFE 94294, lettuce, as requested by the Union Pacific Railroad account car bad ordered at Ogden, Utah, and held 5 days.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 5th day of September 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-16835; Filed, Sept. 10, 1945;
11:18 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 5200]

WILLIAM KREMER

In re: Estate of William Kremer, also known as Wilhelm Kramer and William Kramer, deceased; File No. D-28-9577; E. T. sec. 13156.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Wilhelm Kramer in and to the estate of William Kremer, also known as Wilhelm Kramer and William Kramer, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Wilhelm Kramer, Germany.

That such property is in the process of administration by James W. Brown, as Administrator of the Estate of William Kremer, also known as Wilhelm Kramer and William Kramer, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-16816; Filed, Sept. 10, 1945;
10:34 a. m.]

[Supp. Vesting Order 5203]

SIEMENS, INC.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the Alien Property Custodian, after investigation:

1. Having found in Vesting Order Number 35, dated June 30, 1942, that all of the outstanding common capital stock of Siemens, Incorporated, a corporation organized under the laws of the State of New York, consisting of 50 shares of \$100 par value, was owned by the persons listed below in the amount set opposite each name, and having vested said 50 shares of stock:

Name:	Number of shares
Siemens & Halske, A. G.-----	25
Siemens-Schuckertwerke, A. G.-----	25
Total-----	50

2. Finding that Siemens, Incorporated, a corporation organized under the laws of the State of New York, is a business enterprise within the United States;

3. Finding that Siemens & Halske, A. G., and Siemens-Schuckertwerke, A. G., whose principal places of business are located in Berlin, Germany, are nationals of a designated enemy country (Germany);

4. Finding that Siemens-Schuckert, Ltda., has a claim against Siemens, Incorporated, in the amount of \$1,709.03, as of June 30, 1941, which is represented on the books and records of Siemens, Incorporated, as an account payable, subject to any accruals or deductions thereafter and which represents an interest in Siemens, Incorporated;

5. Finding that Siemens-Schuckert, Ltda., whose principal place of business is located in Santiago, Chile, is a branch of Siemens-Schuckertwerke, A. G., or Siemens & Halske, A. G.;

and determining:

6. That Siemens-Schuckert, Ltda., is controlled by or acting for or on behalf of Siemens-Schuckertwerke, A. G., or Siemens & Halske, A. G., and is a national of a designated enemy country (Germany);

7. That Siemens, Incorporated, is controlled by or acting for or on behalf of Siemens & Halske, A. G., and Siemens-Schuckertwerke, A. G., and is a national of a designated enemy country (Germany);

8. That to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

and having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the interest of Siemens-Schuckert, Ltda., in Siemens, Incorporated, more fully described in subparagraph 4 hereof,

to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national", "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-16817; Filed, Sept. 10, 1945;
10:34 a. m.]

[Vesting Order 5204]

HELENE KADATZ

In re: Estate of Helene Kadatz, also known as Helena Kadatz, deceased; File No. D-28-7494; E. T. sec. 7788.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Elizabeth Kleiner, also known as Lisette Kleiner, Heinrich Graser, also known as Heinrich Glaser, and Jacob Essig, and each of them, in and to the Estate of Helene Kadatz, also known as Helena Kadatz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Elizabeth Kleiner, also known as Lisette Kleiner, Germany.

Heinrich Graser, also known as Heinrich Glaser, Germany.

Jacob Essig, Germany.

That such property is in the process of administration by Frederick W. Werner, as Executor, acting under the judicial supervision of the Surrogate's Court, Richmond County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 6, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-16818; Filed, Sept. 10, 1945;
10:34 a. m.]

[Vesting Order 500A-171]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Italy, Japan, Bulgaria, Hungary, Rumania and/or any territory occupied by one or more of such six named countries, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or re-vesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 7, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Die Geigen- und Lautenmacher, 1922.....	Lutgendorff (nationality not established)...	Frankfurter Verlagsanstalt A.-G., Frankfurt A. M., Germany (nationality German).	Owner.
Unknown.....	Geschichte der Zahnheilkunde, 2d edition, 1926.	Karl Sudhoff (nationality not established)	Johann Ambrosius Barth, Leipzig, Germany (nationality German).	Owner.
A for. 30381.....	Der Erkreis, 1935.....	Martin Hürlimann (nationality not established.)	Atlantis-Verlag, G. m. b. H., Berlin, Germany (nationality German).	Owner.
A for. 38429.....	Dr. Paul Wolff—Arbeit, 1937.....	Dr. Paul Wolff (nationality not established.)	H. Bechhold Verlagsbuchhandlung Frankfurt/Main, Germany (nationality German).	Owner.
Unknown.....	Palästina Arabien und Syrien Baukunst-Landschaft Volksleben, 1925.	Karl Gröber (nationality not established).	Verlag von Ernst Wasmuth, A. G., Berlin, Germany (nationality German).	Owner.
Unknown.....	Baukunst und Landschaft in China Eine Reise Durch Zwölf Provinzen, 1926.	Ernst Boerschmann (nationality not established).	Verlag von Ernst Wasmuth, A. G., Berlin, Germany (nationality German).	Owner.
Unknown.....	Das Unbekannte Spanien, Baukunst, Landschaft, Volksleben, 1922.	Kurt Hiescher (nationality not established).	Verlag von Ernst Wasmuth, A. G., Berlin, Germany (nationality German).	Owner.

OFFICE OF DEFENSE TRANSPORTATION.

[ODT Certificates S Series, Withdrawal]

SUBSTITUTION OF RAIL FOR MOTOR COMMON CARRIER SERVICE

Pursuant to § 501.10a (b) of General Order ODT 3, Revised, as amended (9 F.R. 6778), *It is hereby ordered*, That ODT Certificates Nos. S-1 (9 F.R. 5743), S-2 (9 F.R. 9842), S-3 (9 F.R. 10103), S-4 (9 F.R. 11550), S-5 (9 F.R. 11977), S-6 (9 F.R. 12056), S-7, as amended (9 F.R. 12056, 10 F.R. 1797), S-8 (9 F.R. 12057), S-9 (9 F.R. 14740), S-10 (10 F.R. 4937), and S-11 (10 F.R. 5383), be, and they are hereby withdrawn effective November 1, 1945.

Issued at Washington, D. C., this 10th day of September 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-16811; Filed, Sept. 10, 1945;
10:15 a. m.]

[Recommendation for Industry Transportation Plans, as Amended, Revocation]

TRANSPORTATION OF AGRICULTURAL COMMODITIES AND PRODUCTS

Pursuant to Executive Orders 8989, as amended, and 9156; *It is hereby ordered*, That:

(1) Recommendation for Industry Transportation Plans for transportation of agricultural commodities and products, as amended, dated March 22, 1943 (8 F.R. 3744), be, and it is hereby, revoked.

(2) All approvals and directions issued by the Office of Defense Transportation in respect of industry transportation plans pursuant to the provisions of said recommendation be, and they are hereby, vacated and revoked.

(3) All Industry Transportation Committees and all Industry Advisory Committees selected pursuant to the provisions of said recommendation be, and they are hereby, dissolved.

(4) Any participant in an industry transportation plan approved by and placed into effect upon the direction of the Office of Defense Transportation pursuant to the provisions of said recommendation may at any time withdraw from participation in such plan by serving written notice of such withdrawal upon the administrator of said plan.

Paragraphs (1), (2), and (3) of this revocation order shall become effective November 1, 1945. Paragraph (4) of this revocation order shall become effective September 10, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of September 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-16820; Filed, Sept. 10, 1945;
11:03 a. m.]

[Recommendation for Livestock Transportation Program, Revocation]

TRANSPORTATION OF LIVESTOCK BY COMMERCIAL MOTOR VEHICLE

Pursuant to Executive Orders 8989, as amended, and 9156; *It is hereby ordered*, That:

(1) Recommendation for Transportation of Livestock by Commercial Motor Vehicle, dated August 20, 1943 (8 F.R. 11702), be, and it is hereby, revoked.

(2) All directions issued and actions taken by the Office of Defense Transportation in respect of the movement of motor trucks in the transportation of livestock pursuant to the provisions of said recommendation be, and they are hereby, vacated and revoked.

(3) All Area Livestock Industry Transportation Advisory Committees and all Local Livestock Industry Transportation Committees selected pursuant to the provisions of said recommendation be, and they are hereby, dissolved.

(4) Any person operating in furtherance of any action taken, or under any direction issued, by the Office of Defense Transportation pursuant to the provisions of said recommendation may at any time be relieved from compliance with said action or direction by serving written notice upon the administrator appointed under said recommendation of his desire to be so relieved.

Paragraphs (1), (2), and (3) of this revocation order shall become effective November 1, 1945. Paragraph (4) of this revocation order shall become effective September 10, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349)

Issued at Washington, D. C., this 10th day of September 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-16880; Filed, Sept. 10, 1945;
4:40 p. m.]

OFFICE OF PRICE ADMINISTRATION.

[Supp. Order 94, Order 77]

U. S. DEPARTMENT OF COMMERCE

SPECIAL MAXIMUM PRICES FOR CERTAIN ARMY FLYING SUITS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which the new Army flying suits hereinafter described may be sold and delivered by the United States Department of Commerce and by any subsequent reseller.

(b) *Maximum prices.* Maximum prices per new Army flying suit described herein shall be:

Description of flying suit. New 70% wool gabardine Army flying suit, color green, type L-1, specification No. 3237, AAF Stock No. 8300-810030, two zipper pockets on chest, hips and above knees, two pockets below

knees, pencil pockets on left arm below elbow, one long zipper from neck to crotch and zipper on each leg from knee to ankle.

Department of Commerce's and wholesaler's price to retailer, f. o. b. shipping point..... \$11.00
Price for all sales at retail..... 17.00

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the flying suits described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each flying suit before sale a tag or label containing the following:

OPA ceiling price..... \$17.00

(e) *Tagging.* Any person who sells the flying suits described in paragraph (b) at retail shall attach to each flying suit before sale a tag or label which plainly states the retail ceiling price.

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Wholesaler" means any person who sells to purchasers for resale.

(2) "Sale at retail" means a sale to an ultimate consumer.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16854; Filed, Sept. 10, 1945;
12:04 p. m.]

[Max. Import Price Reg., Order 102]

IMPORTED RAYON NET

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which importers and wholesalers may sell, and maximum prices at which industrial users, wholesalers and retailers may purchase from such sellers, imported rayon net.

(b) *Maximum prices.* Notwithstanding the provisions of the Maximum Import Price Regulation, on and after September 14, 1945, regardless of any contract, agreement, or other obligation, no importer or wholesaler may sell or deliver and no person may buy or receive from such seller imported rayon net at prices higher than the following:

Hole count	Maximum prices	
	Wholesalers and industrial users	Retailers
26	\$0.975	\$1.085
28	1.025	1.135
30	1.075	1.195
31	1.125	1.250

The above maximum prices are per linear yard, f. o. b. U. S. shipping point, for rayon net 72 inches wide, subject to terms of 8%, 10 days, E. O. M. Such maximum prices may be increased proportionately for widths greater than 72 inches.

(c) *Notification of maximum prices.* Any importer who sells or delivers imported rayon net shall include on his invoice to wholesalers the following statement:

The invoiced imported rayon net is sold to you at prices established by Order No. 102 under the Maximum Import Price Regulation. Your own maximum resale prices are established by the same order.

(d) *Brokers or agents commissions.* The maximum prices established by this order include and may not be increased by any commission paid to any broker or to any buying or selling agent.

(e) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

(f) *Application of the Maximum Import Price Regulation.* Unless the context otherwise requires, the provisions of the Maximum Import Price Regulation, as amended, shall apply to sales for which maximum prices are established by this order.

(g) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective September 14, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16856; Filed, Sept. 10, 1945; 12:05 p. m.]

[MPR 188, Amdt. 32 to Order A-2]

TOILETRY AND COSMETIC GLASS BOTTLES AND CONTAINERS

APPROVAL OF MAXIMUM PRICES

An opinion accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Paragraph (a) (16) (ii) of Order A-2 under Maximum Price Regulation No. 188, is amended by adding to the list of commodities set forth therein the following:

Toiletry and cosmetic glass bottles and containers.

This amendment shall become effective September 14, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16868; Filed, Sept. 10, 1945; 12:00 m.]

[MPR 188, Amdt. 1 to Order 43 Under Order 1052]

FREWSBURG FURNITURE CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to paragraph (g) of Order No. 1052 under Maximum Price Regulation No. 188, *It is ordered*, That Order No. 43 under Order No. 1052 under Maximum Price Regulation No. 188 be amended in the following respect:

Paragraph (a) is amended to read as follows:

(a) *Manufacturer's maximum prices.* Frewsburg Furniture Company, Frewsburg, New York, may add the following additional adjustment charges to its maximum prices for sales and deliveries to retailers of the articles of wood household furniture listed below which it manufactures, resulting in the following adjusted maximum prices:

Article	Model No.	Maximum price	Adjustment permitted by paragraph (d) of order No. 1052	Additional adjustment charge permitted by this order	Total adjusted maximum price
Dresser base	505	\$31.75	\$1.59	\$1.63	\$34.97
Mirror	505	8.25	.41	.42	9.08
Chest	505	33.75	1.69	1.74	37.18
Chest on chest	506	39.75	1.99	2.04	43.78
Vanity base	506	32.75	1.64	1.69	36.08
Bed 4/6	505	26.25	1.31	1.35	28.91
Night table	506	13.50	.68	.69	14.87
Bed 4/6	510	32.50	1.63	1.67	35.80
Mirror	510	9.25	.46	.48	10.19
	511	10.75	.54	.55	11.84
	506	9.75	.49	.50	10.74
Bench	505	7.75	.39	.40	8.54

The adjustment charges listed above may be made and collected only when each is separately stated on each invoice. The adjusted maximum prices are subject to the manufacturer's customary terms, discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

This amendment shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16857; Filed, Sept. 10, 1945; 12:06 p. m.]

[MPR 188, Order 4396]

ACME SPINNING MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Acme Spinning Manufacturing Company, 1465 South Lorena Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer—		For sales by any person to consumers
		Jobbers	Retailers	
Metal table lamp, plated in two-tone effect with clear lacquer applied. 14" and 15" hand made shades in various styles.	300	Each \$6.56	Each \$7.72	Each \$13.90

These maximum prices are for the articles described in the manufacturer's application dated May 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16858; Filed, Sept. 10, 1945;
12:06 p. m.]

[MPR 188, Order 4397]

LaSALLE SALES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by LaSalle Sales Company, 187 North LaSalle Street, Chicago 1, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Decorated china table lamp vase with gold trim handles.....	102	Each \$5.35	Each \$6.30	Each \$11.35

These maximum prices are for the articles described in the manufacturer's application dated June 20, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is

established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16859; Filed, Sept. 10, 1945;
12:06 p. m.]

[MPR 188, Order 4398]

TRI-K MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Tri-K Manufacturing Company of 334 Bowery, New York 12, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Single burner electric hot plate.....	151	Each \$0.94	Each \$1.11	Each \$1.20	Each \$1.70

These maximum prices are for the articles described in the manufacturer's application dated July 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices include the Federal Excise Tax. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices

apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4398
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate
OR
Tri-K Manufacturing Company
334 Bowery
New York 12, New York
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16860; Filed, Sept. 10, 1945;
12:06 p. m.]

[MPR 188, Order 4399]

Bo-LOW LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bo-Low Lamp Company, 1 Chester Court, Brooklyn, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Hand painted lamps made figures hand molded from maple. Shades are hand-painted. Height of lamps 18".	(201, 202, 203-B, 204-L, 205, 206, and 207.	Each \$4.54	Each \$5.34	Each \$9.60

These maximum prices are for the articles described in the manufacturer's application dated April 21, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 5% 10 days. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16861; Filed, Sept. 10, 1945;
12:07 p. m.]

[MPR 188, Order 4400]

HARRY FENBERG

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Harry Fenberg, 415 Brainard Street, Detroit 1, Michigan.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Figurine lamp and shade.	460 and 461.	Each \$10.73	Each \$12.50	Each \$22.50

These maximum prices are for the articles described in the manufacturer's application dated May 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington 25, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall

be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16862; Filed, Sept. 10, 1945;
12:07 p. m.]

[MPR 188, Order 4401]

S. KRASNOW

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by S. Krasnow, 120 West 20th Street, New York 11, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Special 11" boudoir lamp shade, washer top, hand sewn.	900	Each \$4.66	Each \$5.48	Each \$9.85
Special 16" bell lamp shade, drape and festoon models—hand sewn and custom made.	1000	6.19	7.28	13.10
Special 17" bell lamp shade with swirl skirted top, hand sewn and custom made.	1100	8.93	10.50	19.00

These maximum prices are for the articles described in the manufacturer's application dated June 12, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and

no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

Article	Model No.	Maximum prices for sales by any seller to—			
		Jobbers	Chain and department stores	Other retailers	Consumers
Pressure cooker with inset.....	Streamliner.....	\$9.45	\$11.34	\$12.60	{ Eastern zone \$18.90 Western zone 19.80 Eastern zone 16.90 Western zone 17.80
Pressure cooker without inset.....	do.....	8.45	10.14	11.27	

These maximum prices are for the articles described in the manufacturer's application dated June 19, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

No. 179—7

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16863; Filed, Sept. 10, 1945;
12:07 p. m.]

[MPR 188, Order 4404]

LAKESIDE ALUMINUM CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Lakeside Aluminum Company, Menomonie, Wis.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Lakeside Aluminum Company,
Menomonie, Wisconsin
Model No. -----
Eastern Zone OPA Ceiling Price—\$-----
Western Zone OPA Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16866; Filed, Sept. 10, 1945;
12:08 p. m.]

[MPR 591, Order 13]

BROOKS OF CALIFORNIA

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment for sales by any person of the following control valves manufactured by Brooks of California of Los Angeles,

California, and described in its application of July 17, 1945, shall be:

(1) On sales to consumers:

¾" brass control valve with female pipe threads \$3.35
¾" brass control valve with union connection and anti-syphon device... 5.00
¾" brass control valve with female iron pipe thread and anti-syphon device 4.60

(2) On sales to dealers, the maximum prices shall be those specified in (a) (1) less a discount of 20 percent.

(3) On sales to jobbers in lots of 5,000 or more, the maximum price shall be those specified in (a) (1) less successive discounts of 20-25 percent.

(b) In addition to the discounts enumerated above in (a) (2) and (a) (3) the maximum prices established by this order are subject to such further discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each of his purchasers of the maximum prices established by this order for his sales to such purchasers as well as the maximum prices established for such purchaser's resale.

(e) Brooks of California shall attach a tag to each of the control valves covered by this order and shall print in a conspicuous place on the tag the following:

OPA Maximum Retail Price—\$-----

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16869; Filed, Sept. 10, 1945;
12:08 p. m.]

[MPR 188, Order 4402]

REX CUTLERY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Rex Cutlery Company, 16-24 Cordier Street, Irvington, N. J.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—					
		Carbon steel			Stainless steel		
		Whole-saler (jobber)	Retailer	Consumer	Whole-saler (jobber)	Retailer	Consumer
Nail file.....	3 1/2	Each \$0.09	Each \$0.12	Each \$0.20	Each \$0.13	Each \$0.18	Each \$0.30
	4	.11	.15	.25	.16	.21	.35
	4 1/2	.13	.18	.30	.18	.24	.40
	5	.16	.21	.35	.20	.27	.45
	5 1/2	.18	.24	.40	.22	.30	.50
	6	.20	.27	.45	.25	.33	.55
	6 1/2	.22	.30	.50	.27	.36	.60
	7	.25	.33	.55	.29	.39	.65
	8	.27	.36	.60	.32	.42	.70
	9						
Serrated pusher.....	P40	\$0.13	\$0.18	\$0.30	\$0.18	\$0.21	\$0.35
Serrated pusher.....	P60	.22	.30	.50	.25	.33	.55
Black head remover.....	X40	.13	.18	.30	.16	.21	.35
High polish black head remover.....	X60	.22	.30	.50	.25	.33	.55
Serrated tweezers.....	TP40	.16	.21	.35	.18	.24	.40
	TS40	.16	.21	.35	.18	.24	.40
	TH40	.16	.21	.35	.18	.24	.40
	TP60	.22	.30	.50	.25	.33	.55
	TS60	.22	.30	.50	.25	.33	.55
	TH60	.22	.30	.50	.25	.33	.55
Manicure scissors.....	S150A3 1/2	.56	.75	1.25	.68	.90	1.50
	S150B3	.56	.75	1.25	.68	.90	1.50
	S2003 1/2	.79	1.05	1.75	.90	1.20	2.00
Manicure scissors, professional.....	S2253 1/2	.90	1.20	2.00	1.00	1.35	2.25
	NS200	.79	1.05	1.75	.90	1.20	2.00
Manicure scissors, professional nip- per box lock.....	PS225	.90	1.20	2.00	1.00	1.35	2.25
	400	1.45	1.95	3.25	1.58	2.10	3.50
	SN400	1.45	1.95	3.25	1.58	2.10	3.50
Nipper oval pattern bows scissors needle point.....	P450	1.70	2.25	3.75	1.80	2.40	4.00
	93 1/2	.65	.87	1.45	.75	1.00	1.65
	94	.65	.87	1.45	.75	1.00	1.65
	95	.70	.93	1.55	.80	1.10	1.80
	96	.80	1.05	1.75	.90	1.20	2.00
	194	.65	.87	1.45	.75	1.00	1.65
	195	.70	.93	1.55	.80	1.10	1.80
	196	.80	1.05	1.75	.90	1.20	2.00
Flat pattern fitted bows needle point.....	33 1/2	.75	1.00	1.65	.85	1.15	1.90
	34	.75	1.00	1.65	.85	1.15	1.90
	35	.85	1.15	1.90	.97	1.30	2.15
	36	.97	1.30	2.15	1.10	1.45	2.40
	134	.75	1.00	1.65	.85	1.15	1.90
	135	.85	1.15	1.90	.97	1.30	2.15
	136	.97	1.30	2.15	1.10	1.45	2.40
Light trimmer.....	137	1.17	1.55	2.60	1.32	1.75	2.90
Flat pattern fitted bows, needle point streamlined.....	43 1/2	.75	1.00	1.65	.85	1.15	1.90
	44	.75	1.00	1.65	.85	1.15	1.90
	45	.85	1.15	1.90	.97	1.30	2.15
	46	.97	1.30	2.15	1.10	1.45	2.40
	144	.75	1.00	1.65	.85	1.15	1.90
	145	.85	1.15	1.90	.97	1.30	2.15
	146	.97	1.30	2.15	1.10	1.45	2.40
Light trimmer deluxe line heart shaped rings needle point.....	147	1.17	1.55	2.60	1.32	1.75	2.90
	53 1/2	.90	1.20	2.00	1.00	1.35	2.25
	54	.90	1.20	2.00	1.00	1.35	2.25
	55	1.15	1.50	2.50	1.25	1.65	2.75
	56	1.25	1.65	2.75	1.35	1.80	3.00
	154	.90	1.20	2.00	1.00	1.35	2.25
	155	1.15	1.50	2.50	1.25	1.65	2.75
	156	1.25	1.65	2.75	1.35	1.80	3.00
Deluxe line, circle rings, needle point.....	63 1/2	.90	1.20	2.00	1.00	1.35	2.25
	64	.90	1.20	2.00	1.00	1.35	2.25
	65	1.15	1.50	2.50	1.25	1.65	2.75
	66	1.25	1.65	2.75	1.35	1.80	3.00
	164	.90	1.20	2.00	1.00	1.35	2.25
	165	1.15	1.50	2.50	1.25	1.65	2.75
	166	1.25	1.65	2.75	1.35	1.80	3.00

These maximum prices are for the articles described in the manufacturer's application dated July 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price \$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the

seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 11th day of September, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16864; Filed, Sept. 10, 1945; 12:07 p. m.]

[MPR 188, Order 4416]

METALLIC ARTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Metallic Arts Company, 2100 South Morgan Street, Chicago 8, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
19" x 15" floor lamp leatherette parchment shade.....	200	Each \$0.68	Each \$0.80	Each \$1.45
15" x 10" empire table leatherette parchment shade.....	201	.60	.70	1.25
13" x 12" drum table shade pigskin parchment.....	202	.60	.70	1.25
13" x 19" student bridge pigskin parchment shade.....	203	.60	.70	1.25
12 x 7" bridge leatherette parchment shade.....	204	.59	.70	1.25
19 x 15" floor lamp leatherette parchment.....	225	.93	1.10	2.00
15 x 10" empire table leatherette parchment.....	226	.93	1.10	2.00
13 x 12" drum table pigskin parchment.....	227	.93	1.10	2.00
13 x 9" student bridge pigskin parchment.....	228	.93	1.10	2.00
12 x 7" bridge leatherette parchment shade.....	229	.85	1.00	1.80
19 x 15" floor lamp shades cloth covered.....	250	1.49	1.75	3.15
15 x 10" empire table cloth covered.....	251	1.40	1.65	3.00
13 x 12" drum table cloth covered.....	252	1.40	1.65	3.00
13 x 19" student bridge cloth covered.....	253	1.40	1.65	3.00
12 x 17" bridge cloth covered.....	254	1.30	1.55	2.80
19 x 14" floor lamp silk.....	500	3.26	3.95	7.10
14 x 13" table rayon silk.....	501	2.70	3.25	5.85
13" student bridge rayon silk.....	502	2.76	3.25	5.85
12 1/2 x 11" table lamp shade leatherette and pigskin.....	101	.85	1.00	1.80
12 1/2 x 11" bridge lamp shade.....	301-B	.85	1.00	1.80
12 1/2 x 11" Davenport shade.....	301-D	1.06	1.25	2.25
15 x 10" Empire table spun rayon over parchment vellum.....	261	1.57	1.85	3.35

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Re-sellers	
13 x 12" Parchment velum drum table shade	262	Each \$1.57	Each \$1.85	Each \$3.35
12 x 11" Parchment velum student bridge	263	1.49	1.75	3.15
8 x 5" Parchment velum boudoir	264	1.19	1.40	2.35
10 x 8" Parchment velum boudoir	265	1.06	1.25	2.25
19 x 15" Parchment velum floor	260	1.67	1.95	3.50
19" Spun rayon lining silk lamp shade	600	4.04	4.75	8.55
13" Student Bridge	601	3.36	3.75	7.00
14 or 13" Table Lamp	602	3.36	3.75	7.00
18 x 18" Floor drum lamp chealsea cloth	255	1.56	1.95	3.50
13 x 13" Drum shade parchment over vellum	256	1.57	1.85	3.35
13 x 13" Student bridge with reflector fitter	257	1.57	1.85	3.35

These maximum prices are for the articles described in the manufacturer's application dated April 11, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. _____
OPA Retail Ceiling Price—\$-----

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16867; Filed, Sept. 10, 1945;
12:08 p. m.]

[MPR 591, Order 14]

A. O. SMITH CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591: *It is ordered:*

(a) The maximum delivered price exclusive of federal excise tax for sales on an installed basis to consumers in Southern California by any person of the following gas fired water heaters manufactured by the A. O. Smith Corporation of Milwaukee 1, Wisconsin, shall be:

Model	Maximum installed price
PG 20E, Automatic gas fired water heater, complete with controls, glass lined tank, 20 gallon capacity	\$108.75
PG 30E, Automatic gas fired water heater, complete with controls, glass lined tank, 30 gallon capacity	127.50
PG 45E, Automatic gas fired water heater, complete with controls, glass lined tank, 45 gallon capacity	173.75
PG 60E, Automatic gas fired water heater, complete with controls, glass lined tank, 60 gallon capacity	240.00
PG 75E, Automatic gas fired water heater, complete with controls, glass lined tank, 75 gallon capacity	302.50
DG 20G, Automatic gas fired water heater, complete with controls, zinc lined tank, 20 gallon capacity	93.75
DG 30G, Automatic gas fired water heater, complete with controls, zinc lined tank, 30 gallon capacity	112.50
DG 45G, Automatic gas fired water heater, complete with controls, zinc lined tank, 45 gallon capacity	152.50
DG 60G, Automatic gas fired water heater, complete with controls, zinc lined tank, 60 gallon capacity	185.00
DG 75G, Automatic gas fired water heater, complete with controls, zinc lined tank, 75 gallon capacity	247.50
MG 20G, Automatic gas fired water heater, complete with controls, galvanized tank, 20 gallon capacity	74.25
MG 30G, Automatic gas fired water heater, complete with controls, galvanized tank, 30 gallon capacity	90.25

(b) The maximum prices specified in (a) above shall be subject to a trade-in allowance of 10 percent.

(c) The maximum delivered prices exclusive of federal excise tax on sales to authorized SMITHway dealers in Southern California by any persons shall be the maximum prices specified in (a) above subject to successive discounts of 40-10 percent.

(d) The maximum delivered prices exclusive of federal excise tax on sales to

all other dealers in Southern California by any person shall be the maximum prices specified in (a) above subject to a discount of 40 percent.

(e) In addition to the discounts enumerated in (b), (c), and (d) above, the maximum prices established by this order shall be subject to such other discounts, allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar articles during March 1942.

(f) As used in this order, the term "Southern California" means the counties of Los Angeles, Imperial, Inyo, Kern, Orange, Riverside, San Diego, San Bernardino, San Luis Obispo, Santa Barbara and Ventura.

(g) Each seller, except on sales to consumers, shall notify in writing each of his purchasers at or before the time of the first invoice after the effective date of this order of the maximum prices established by this order for sales by each seller to his purchasers and his purchasers maximum resale prices.

(h) The A. O. Smith Corporation shall stencil in a conspicuous place on each of the heaters covered by this order, the following:

Approved OPA installed maximum price \$-----
Less 10 percent trade-in allowance -----
Approved OPA installed maximum net price -----
This price is exclusive of federal excise tax.

(i) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16870; Filed, Sept. 10, 1945;
12:09 p. m.]

[MPR 591, Order 15]

NEW CASTLE WELDING AND MANUFACTURING CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices, f. o. b. point of shipment for sales by any person of the following septic tanks manufactured by the New Castle Welding and Manufacturing Company of New Castle, Pennsylvania, and described in its application of July 14, 1945, shall be:

(1) On sales to consumers:

38" x 48" steel (14 gauge) septic tank with 200 gallon capacity	\$23.00
46" x 48" steel (14 gauge) septic tank with 300 gallon capacity	31.00
52" x 60" steel (14 gauge) septic tank with 500 gallon capacity	51.00

(2) On sales to dealers:

38" x 48" steel (14 gauge) septic tank with 200 gallon capacity.....	\$17.25
46" x 48" steel (14 gauge) septic tank with 300 gallon capacity.....	23.25
52" x 60" steel (14 gauge) septic tank with 500 gallon capacity.....	38.25

(3) On sales to jobbers:

38" x 48" steel (14 gauge) septic tank with 200 gallon capacity.....	\$13.75
46" x 48" steel (14 gauge) septic tank with 300 gallon capacity.....	18.50
52" x 60" steel (14 gauge) septic tank with 500 gallon capacity.....	30.20

(4) On sales to manufacturers' agents:

38" x 48" steel (14 gauge) septic tank with 200 gallon capacity.....	\$12.25
46" x 48" steel (14 gauge) septic tank with 300 gallon capacity.....	15.50
52" x 60" steel (14 gauge) septic tank with 500 gallon capacity.....	27.50

(b) The maximum prices specified in (a) above shall be subject to discounts, allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices for sales on an installed basis of the commodities covered by this Order shall be determined in accordance with the provisions of Revised Maximum Price Regulation No. 251.

(d) Each seller, except on sales to consumers, shall notify in writing each purchaser of the maximum prices established by this order as well as the maximum prices established for such purchaser's resale.

(e) The New Castle Welding and Manufacturing Company shall stencil in a conspicuous place on each of the septic tanks the following:

OPA Maximum Consumer Price \$-----
Plus freight as provided in Order No. 15 under maximum price Regulation No. 591.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16871; Filed, Sept. 10, 1945;
12:09 p. m.]

[MPR 591, Order 16]

THOMAS H. BENTLEY CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, It is ordered:

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following Model F-14 food freezer cabinet manufactured by the Thomas H. Bentley Company and as described in its application of July 10, 1945

which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Item	Sizes	On sales to distributors	On sales to dealers	On sales to consumers
Model F-14	13.8 cu. ft. without condensing unit, coils or refrigerating equipment.	\$147.50	\$177	\$295

(b) On sales by the Thomas H. Bentley Company, the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount noted above.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Thomas H. Bentley Company shall stencil on the inside of the lid or cover of the Model F-14 food freezer covered by this Order. The stencil shall contain substantially the following:

OPA maximum retail price, \$295.00 plus freight and crating, as provided in Order No. 16 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 11, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16872; Filed, Sept. 10, 1945;
12:09 p. m.]

[MPR 592, Amdt. 7 to Order 1]

CALCINED GYPSUM PLASTER

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith,

has been filed with the Division of the Federal Register.

A new section 7.11 is added to read as follows:

SEC. 7.11. Modification of maximum prices for calcined gypsum plaster. (a) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for calcined gypsum plaster "bag goods" commonly sold in 80# and 100# sizes, including the several sizes of barrels containing 180# or more per barrel, may be increased by adding an amount not in excess of \$2.40 per net ton to the f. o. b. plant or delivered prices, where the sale is made f. o. b. a mill located within the geographical area described in (b) below, or the sale is made on a delivered basis and the delivered destination is within the geographical area defined in (b) below.

(b) This section applies to the Eastern Seaboard which means:

All of the New England States, and that portion of the State of New York east and south of the western and northern boundaries of the following counties: Essex, Warren, Saratoga, Fulton, Montgomery, Otsego, Delaware, Broome; and that portion of the State of Pennsylvania east and south of the north and western boundaries of the following counties: Susquehanna, Wyoming, Luzerne, Columbia, Montour, Northumberland, Union, Centre, Huntingdon, Bedford, Somerset; and all of the States of New Jersey, Delaware, Maryland, including Washington, D. C., and that portion of the State of West Virginia east of the west boundaries of the following counties: Grant, Pendleton; and that portion of the State of Virginia embraced in the Counties of Loudoun, Fairfax, Arlington, Prince William, Fauquier, Accomac, Northampton; and all of the States of Mississippi, Alabama, Georgia, Florida, South Carolina, and that portion of the State of North Carolina south of the northern boundaries of the following counties: Mecklenburg, Cabarrus, Stanley, Montgomery, Moore, Hoke, Cumberland, Sampson, Duplin, Jones, Craven, and Pamlico.

(c) Any reseller purchasing calcined gypsum plaster as described in (a) above, for resale in the same form, may increase his maximum prices, established under the General Maximum Price Regulation, by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the increase permitted in (a) above.

(d) The maximum prices established herein shall be subject to quantity, cash, and other discounts, transportation allowances, services, and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

This amendment shall become effective September 14, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16873; Filed, Sept. 10, 1945
12:10 p. m.]

[MPR 188, Order 4403]

BURBANK METAL SPECIALTIES CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Burbank Metal Specialties Company, of 2321 N. Lincoln Street, Burbank, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—		
		Jobber (who drop-ships)	Retailer	Consumer
Garden cart: On orders:	200			
1 to 5.....		Each \$6.61	Each \$7.35	Each \$10.50
5 or more.....		6.14	6.83	10.50

These maximum prices are for the articles described in the manufacturer's application dated July 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory, Burbank, California.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$10.50
Do Not Remove or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 11th day of September 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16865; Filed, Sept. 10, 1945;
12:08 p. m.]

[Gen. Order 68]

REGIONAL ADMINISTRATORS

DELEGATION OF AUTHORITY TO ESTABLISH
MAXIMUM PRICES FOR SALES OF CERTAIN
BUILDING AND CONSTRUCTION MATERIALS BY
PERSONS OTHER THAN MANUFACTURERS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) Each Regional Administrator of the Office of Price Administration is authorized to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area, for sales by all persons, except manufacturers, of commodities under the jurisdiction of the Building Materials and Construction Price Branch which are covered by the following regulations:

1. General Maximum Price Regulation.
2. 3rd RMPR 13.
3. MPR 44 (except as to sales covered by MPR 525).
4. MPR 293 (except as to sales covered by MPR 525).
5. MPR 381.

(b) Regional Administrators shall observe the following standards in issuing orders under this general order:

(1) Maximum prices shall be set forth in dollars-and-cents unless this shall clearly appear impracticable or inappropriate.

(2) Maximum prices thus set forth shall not exceed the general level of prices as fixed by the regulation which would otherwise be applicable.

(c) Orders issued under this general order shall be filed with the Division of the Federal Register.

(d) Orders issued under this general order shall have the same force and effect as if issued by the Price Administrator.

(e) Orders issued under this general order shall supersede the provisions of the regulation which would otherwise be applicable to the extent provided in the order issued.

This General Order No. 68 shall become effective September 16, 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16903; Filed, Sept. 11, 1945;
11:08 a. m.]

[Supp. Order 130, Order 2]

WOOL AND YARNS AND FABRICS MADE OF
WOOL

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to section 3 of Supplementary Order No. 130, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales by a prime contractor or subcontractor of contractor inventory retained by him and "in production" at the time of termination, consisting of woven or knitted woolen or worsted greige or finished goods containing 25% or more of wool fiber by weight and made on the woolen or worsted system or knitted on machines, wool top, or yarns containing 10% or more of wool by fiber weight, except imported yarns. "In production" refers to fiber or fabric which has progressed in the case of piece-dyed woolen fabrics into the first blending operation, in the case of stock-dyed woolen fabrics into the dyed stage, and in the case of worsted fabrics into the scoured stage.

(b) *Relation of this order to supplementary Order 130.* This order supersedes the provisions of section 2 of Supplementary Order No. 130 with respect to the textile commodities covered herein. The definitions in Supplementary Order 130 apply to the defined terms when used in this order.

(c) *Maximum prices for contractor inventory of partly processed wool and of yarns and fabrics made of wool.*

(1) *Finished goods.* (i) The maximum price for contractor inventory finished wool fabrics, whether finished or not at the time of termination, but meeting the specifications for yarn content, ends and picks, and weight per finished yard of fabric of a war procurement agency contract, shall be the contract price increased by the addition of any redyeing or refinishing costs, including shrinkage, incurred by the contractor or subcontractor in preparing the goods for sale.

(ii) The maximum price for contractor inventory finished wool fabrics, not meeting the specifications for yarn content, ends and picks, and weight per finished yard of fabric of a war procurement agency contract, shall be the maximum price determined pursuant to the provisions of Maximum Price Regulation 163 in the case of woven apparel fabrics and of the General Maximum Price Regulation, in the case of knit and of other woven goods, increased by any redyeing or refinishing costs, including shrinkage, incurred by the contractor or subcontractor in preparing the goods for sale.

(2) *Greige goods.* The maximum price for contractor inventory greige wool fabrics shall be the maximum price determined pursuant to the provisions of § 1410.102 (d) of Maximum Price Regulation 163 for woven wool apparel fabrics and pursuant to the provisions of the General Maximum Price Regulations for knitted and of all other woven wool fabrics.

(3) *Dyed wool yarns.* The maximum price for contractor inventory dyed wool yarns shall be the maximum price determined pursuant to the provisions of Revised Price Schedule 58 increased by the addition of any redyeing costs, including shrinkage, incurred by the contractor or subcontractor in preparing the goods for sale.

(4) *Wool yarns.* The maximum price for contractor inventory wool yarns shall be the maximum price determined pursuant to the provisions of Revised Price Schedule 58.

(5) *Dyed wool top.* The maximum price for contractor inventory dyed wool top shall be the maximum price for wool top determined pursuant to the provisions of Revised Price Schedule 58 increased by any actual dyeing and/or redyeing costs, including shrinkage, incurred by the contractor or subcontractor in preparing the goods for sale.

(6) *Wool top.* The maximum price for contractor inventory wool top shall be the maximum price determined pursuant to the provisions of Revised Price Schedule 58.

(7) *Intermediate stages between raw wool and wool top or woollen yarn.* The maximum price for contractor inventory raw wool which has progressed in the case of piece dyed woollen fabrics into the first blending operation, in the case of stock dyed woollen fabrics into the dyed stage, and in the case of worsted fabrics into the scoured stage but which has not yet been processed into wool top or woollen yarn shall be the maximum price for the raw wool determined pursuant to the provisions of Revised Price Schedule 58 or Maximum Price Regulation 106, whichever would have been applicable prior to the issuance of Supplementary Order 130, increased by the cost incurred by the contractor or subcontractor in bringing the wool to the condition in which it is sold.

(d) Except as modified by this order all the provisions of Supplementary Order 130 shall apply to sales and deliveries of contractor inventory of the textiles for which maximum prices are set forth above.

(e) This order may be revoked or amended at any time.

This order shall become effective September 10, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16891; Filed, Sept. 10, 1945;
4:50 p. m.]

[MPR 61, Amdt. 1 to Order 1]

CHROME RETAN MILITARY UPPER LEATHER MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the division of the Federal Register and pursuant to Section 11 of Maximum Price Regulation 61, *It is ordered:*

Order No. 1 under Maximum Price Regulation 61 is amended in the following respects:

1. The title of the order is amended by deleting therefrom the word "Producers'".

2. The text of paragraph (a) preceding the table is amended to read as follows:

(a) On and after September 10, 1945, the following shall be the maximum prices, f. o. b. producer's shipping point, at which any person may sell or deliver the leather specified below:

This amendment shall become effective September 10, 1945.

Issued this 10th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16890; Filed, Sept. 10, 1945;
4:50 p. m.]

[MPR 188, Revocation of Order 2092]

SHUTTLE COCKS

MAXIMUM PRICES FOR SALES

For the reasons set forth in an opinion, issued simultaneously herewith, and filed with the Division of the Federal Register and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered:* That Order No. 2092 under § 1499.159b of Maximum Price Regulation No. 188 issued on August 18, 1944, is hereby revoked.

This order of revocation is effective on the 12th day of September 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16908; Filed, Sept. 11, 1945;
11:09 a. m.]

[RMPR 49 Order 24]

HAMPDEN WATCH CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation 499, it is ordered:

(a) *Effect of this order.* This order established maximum prices for all sales by the classes of sellers named below of the watches specified below imported by Hampden Watch Company, 29 East Madison Street, Chicago, Illinois, hereinafter called the "importer."

(b) *Maximum prices.* The maximum prices for sales of the Hampden watches identified below are as follows:

LADIES' WATCHES

Style No.	Description	Importers' maximum prices	Wholesalers' maximum prices	Maximum retail prices including tax
4208, 4213-16, 4218-21	17J 14K	\$22.45	\$20.20	\$55.00
4209	17J 10K Gold filled, link bracelet	19.20	24.95	49.50
4217	17J 14K high crystal	24.45	31.80	66.00
4222	17J 10K Gold filled snake bracelet	19.20	24.95	49.50
4223-25	17J 10K Gold filled	18.20	23.65	46.75
4226-28, 4230	17J 14K	19.30	25.10	49.50
4231	17J 10K Gold filled, bracelet	17.45	22.70	43.75
4232-4, 4243-4	17J 10K Gold filled	16.45	21.40	41.25
4235, 45, 47, 49, and 51	17J 10K RGP	14.90	19.35	38.50
4236, 46, 48, 50 and 52	7J 10K RGP	11.50	14.95	30.25
4237	17J 10K RGP snake bracelet	15.90	18.05	41.25
4238	7J 10K RGP snake bracelet	12.50	16.25	32.75
4239	17J 10K RGP steel back, round	12.75	16.60	30.25
4240	7J ditto	9.95	12.95	24.75
4241	17J 10K RGP steel back expansion bracelet	15.80	20.55	41.25
4242	7J ditto	12.75	16.60	30.25
4302	17J 14K, sweepsecond	22.55	29.30	57.75
4305	17J Swiss RGP case	15.98	20.75	41.25
4306A	17J 14K case, high crystal	21.95	28.55	55.00
4306B	17J 14K bracelet	22.95	29.85	57.50

MEN'S WATCHES

4257	17J 10K RGP link bracelet	\$16.70	\$21.70	\$41.25
4258	7J ditto	13.40	17.40	32.75
4259	17J 10K RGP	15.45	20.10	41.25
4260	7J ditto	12.15	15.80	30.25
4261	17J 10K RGP expansion bracelet	17.95	23.35	46.75
4262	7J ditto	15.34	20.10	41.25
4263, 5, 7, and 9	17J 10K RGP	15.45	20.75	41.25
4264, 6, 8 and 4270	7J ditto	12.15	15.80	30.25
4271, 75, 83-6 and 4298	17J 10K Gold filled	17.45	22.70	46.75
4272-4	17J 14K	28.95	37.65	84.00
4275A & B	17J 14K	30.95	40.25	90.00
4276, 8, and 4280	17J 10K RGP steel back	13.05	16.95	32.75
4277, 9, and 4281	7J ditto	10.00	13.00	27.25
4282	17J 10K Gold filled, link bracelet	18.70	24.30	49.50
4300	17J shockproof 14K case	32.90	42.75	90.00
4309	17J 10K Gold filled	17.20	22.35	46.75
4311	7J 10K Gold filled	14.98	19.45	41.25
4312	17J 10K Gold filled expansion bracelet	21.20	27.55	55.00
4313	7J ditto	17.65	22.95	43.25

POCKET WATCHES

4287A and B, 4292	17J 10K Gold filled case	\$17.30	\$22.50	\$46.75
4288 and 4290	17J 10K RGP	15.30	19.00	41.25
4289, 4291	7J ditto	12.40	16.10	30.25
4293	17J 14K solid gold	36.30	47.20	102.00

WATERPROOF AND SPECIAL PURPOSE WATCHES

4294	17J steel wpf. sweepsecond	\$18.45	\$24.00	\$43.75
4295	17J 10K RGP, Doctors' sweepsecond	15.50	20.15	41.25
4296	17J 10K RGP, Nurses' sweepsecond	13.65	17.75	35.75
4297	17J sterling case, Nuns' sweepsecond	14.35	18.65	38.50
4304	17J 13L Swiss steel case	15.06	19.55	38.50
4314	17J 1 1/2 L shockproof, Swiss steel wpf. case, rouage circle	21.52	28.00	68.00
4315	17J Swiss yellow top, steel back wpf. case, shockproof, sweepsecond, expansion bracelet	31.95	41.55	87.00
4316	17J 14K wpf. case, shockproof, sweepsecond	44.90	58.35	120.00

All of the above watches are complete with straps or cords (except where bracelets are specified) and with high quality individual gift boxes.

The importer's maximum prices set forth above are subject to his customary freight terms and his credit terms which are 2%, 10th proximo.

The maximum prices established for sales by wholesalers to retailers are f. o. b. the wholesaler's city and are subject to terms of 2%, 30 days.

No charge may be added to the above maximum retail prices for extension of credit except under the conditions specified and to the extent permitted by section 12a of Revised Maximum Price Regulation 499. The above maximum retail prices are inclusive of the Federal excise tax, of 10% (20% in the case of watches retailing for over \$65.00).

(c) *Notification.* Any person who sells the above watches to a purchaser for resale shall, at the time of or prior to the first invoice, furnish the purchaser with a copy of this order or a price list incorporating the above prices to retailers and to consumers and containing a certification that they are maximum prices established by the Office of Price Administration. In addition, he shall include on every invoice covering a sale of these watches the following statement:

OPA Order No. 24 under RMPR 499 establishes prices at which you may sell these watches.

This notification requirement supersedes the notification requirement in section 12 of Revised Maximum Price Regulation 499 with respect to the watches covered by this order.

(d) *Tagging.* The importer shall include with every watch covered by this order delivered to a purchaser for resale after its effective date, a tag or label setting forth the maximum retail price of the particular watch. This tag or label must not be removed until the watch is sold to an ultimate consumer.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in section 2 of Revised Maximum Price Regulation No. 499 shall apply to the terms used herein.

This order shall become effective on the 12th day of September 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16928; Filed, Sept. 11, 1945; 11:14 a. m.]

[MPR 574, Revocation of Order 1]

LIVE BOVINE ANIMALS (CATTLE AND CALVES)
MAXIMUM PERCENTAGES OF GOOD AND CHOICE
CATTLE

For the reasons set forth in the accompanying opinion and pursuant to the provisions of section 14 of Maximum Price Regulation No. 574, Live Bovine Animals (Cattle and Calves), *It is hereby ordered:*

That Order No. 1, as amended, under Maximum Price Regulation No. 574 be, and it hereby is, revoked.

This revocation of Order No. 1, as amended, under Maximum Price Regulation No. 574 shall become effective September 12, 1945.

Issued this 11th day of September 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-16929; Filed, Sept. 11, 1945; 11:08 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register September 6, 1945.

REGION I

Connecticut Order 8-F, Amendment 16, covering fresh fruits and vegetables. Filed 9:58 a. m.

REGION V

San Antonio Order 1-M, covering malt beverages in Bexar County, Texas. Filed 9:41 a. m.

St. Louis Order 4-F, Amendment 5, covering fresh fruits and vegetables in the city and county of St. Louis, Missouri. Filed 9:41 a. m.

Wichita Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain areas in Kansas. Filed 9:41 a. m.

REGION VI

Green Bay Order 4-F, Amendment 28, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:43 a. m.

Green Bay Order 5-F, Amendment 28, covering fresh fruits and vegetables in certain areas in Wisconsin. Filed 9:43 a. m.

Green Bay Order 6-F, Amendment 28, covering fresh fruits and vegetables in Florence, Forest and Marinette. Filed 9:43 a. m.

Springfield Order 13-F, Amendment 24, covering fresh fruits and vegetables in Springfield, Sangamon County, Illinois. Filed 9:42 a. m.

Springfield Order 14-F, Amendment 25, covering fresh fruits and vegetables in certain areas in Illinois. Filed 9:41 a. m.

Springfield Order 15-F, Amendment 25, covering fresh fruits and vegetables in Decatur, Macon County, Illinois. Filed 9:42 a. m.

Springfield Order 20-F, covering fresh fruits and vegetables in certain counties in Illinois. Filed 9:43 a. m.

Twin Cities Revised Order 1-F, Amendment 31, covering fresh fruits and vegetables in St. Paul and Minneapolis. Filed 9:42 a. m.

REGION VII

Boise Order 2-C, covering poultry in certain counties in Idaho. Filed 9:31 a. m.

Boise Order 3-C, covering poultry in Malheur County, Oregon. Filed 9:32 a. m.

REGION VIII

Nevada Order 11-F, Amendment 3-A, covering fresh fruits and vegetables in the Reno and Sparks Area. Filed 9:33 a. m.

Portland Order 5-F, Amendment 36, covering fresh fruits and vegetables in certain areas in California and Oregon. Filed 9:33 a. m.

Portland Order 6-F, Amendment 37, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:33 a. m.

Portland Order 7-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:33 a. m.

Portland Order 8-F, Amendment 36, covering fresh fruits and vegetables in Medford, Oregon. Filed 9:33 a. m.

Portland Order 9-F, Amendment 36, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:33 a. m.

Portland Order 10-F, Amendment 35, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Washington. Filed 9:32 a. m.

Portland Order 10-F, Amendment 36, covering fresh fruits and vegetables in Kelso, West Kelso and Longview, Oregon, Washington. Filed 9:29 a. m.

Portland Order 12-F, Amendment 33, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:32 a. m.

Portland Order 13-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:32 a. m.

Portland Order 13-F, Amendment 33, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:30 a. m.

Portland Order 15-F, Amendment 32, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:30 a. m.

Portland Order 16-F, Amendment 26, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:40 a. m.

Portland Order 16-F, Amendment 27, covering fresh fruits and vegetables in Bend, Oregon. Filed 9:30 a. m.

Portland Order 17-F, Amendment 26, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:40 a. m.

Portland Order 17-F, Amendment 27, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:30 a. m.

Portland Order 19-F, Amendment 23, covering fresh fruits and vegetables in Dalles, Oregon. Filed 9:40 a. m.

Portland Order 20-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:40 a. m.

Portland Order 21-F, Amendment 23, covering fresh fruits and vegetables in the city of Pendleton, Oregon. Filed 9:31 a. m.

Portland Order 22-F, Amendment 23, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:31 a. m.

Portland Order 27-F, Amendment 21, covering fresh fruits and vegetables in Baker and La Grande, Oregon. Filed 9:39 a. m.

Portland Order 28-F, Amendment 21, covering fresh fruits and vegetables in the Haines, Wallowa, Enterprise and Oregon Area. Filed 9:39 a. m.

Portland Order 29-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Oregon. Filed 9:31 a. m.

Portland Order 30-F, Amendment 13, covering fresh fruits and vegetables in certain areas in Oregon and Washington. Filed 9:39 a. m.

Portland Order 30-F, Amendment 14, covering fresh fruits and vegetables in certain areas in Oregon and Washington. Filed 9:31 a. m.

Portland Order 31-F, Amendment 9, covering fresh fruits and vegetables in the Hood River-Clatskanie-Mcminnville, Oregon and Camas, Wash. Area. Filed 9:40 a. m.

Portland Order 31-F, Amendment 10, covering fresh fruits and vegetables in the Camas, Washington Area and the Hood River-Clatskanie-Mcminnville, Oregon. Filed 9:31 a. m.

Phoenix Order 9-F, covering fresh fruits and vegetables in the Phoenix Area. Filed 9:33 a. m.

San Francisco Order 13-F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 9:35 a. m.

San Francisco Order 14-F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 9:36 a. m.

San Francisco Order 15-F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 9:35 a. m.

San Francisco Order 16-F, Amendment 14, covering fresh fruits and vegetables in certain areas in California. Filed 9:35 a. m.

Seattle Order 6-F, Amendment 51, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:39 a. m.

Seattle Order 7-F, Amendment 46, covering fresh fruits and vegetables in the Tacoma, Washington Area. Filed 9:37 a. m.

Seattle Order 8-F, Amendment 43, covering fresh fruits and vegetables in the Everett, Washington Area. Filed 9:38 a. m.

Seattle Order 9-F, Amendment 51, covering fresh fruits and vegetables in the Seattle and Bremerton, Washington Area. Filed 9:39 a. m.

Seattle Order 10-F, Amendment 42, covering fresh fruits and vegetables in the Bellingham, Washington Area. Filed 9:37 a. m.

Seattle Order 11-F, Amendment 43, covering fresh fruits and vegetables in the Olympia, Washington Area. Filed 9:38 a. m.

Seattle Order 12-F, Amendment 42, covering fresh fruits and vegetables in the Aberdeen and Hoquiam, Washington Area. Filed 9:36 a. m.

Seattle Order 13-F, Amendment 43, covering fresh fruits and vegetables in the Centralia and Chehalis, Washington Area. Filed 9:38 a. m.

Seattle Order 14-F, Amendment 43, covering fresh fruits and vegetables in the Wenatchee and East Wenatchee, Washington Area. Filed 9:39 a. m.

Seattle Order 15-F, Amendment 41, covering fresh fruits and vegetables in the Yakima, Washington Area. Filed 9:37 a. m.

Spokane Order 8-F, Amendment 29, covering fresh fruits and vegetables in the Spokane County, Washington Area. Filed 9:34 a. m.

Spokane Order 9-F, Amendment 29, covering fresh fruits and vegetables in the Kootenai County, Idaho Area. Filed 9:34 a. m.

Spokane Order 10-F, Amendment 28, covering fresh fruits and vegetables in the Shoshone and Kootenai Counties, Idaho Area. Filed 9:34 a. m.

Spokane Order 11-F, Amendment 28, covering fresh fruits and vegetables in Latah County, Idaho and Whitman County, Washington. Filed 9:34 a. m.

Spokane Order 12-F, Amendment 29, covering fresh fruits and vegetables in Acotin County, Washington and Nez Perce County, Idaho. Filed 9:34 a. m.

Spokane Order 13-F, Amendment 30, covering fresh fruits and vegetables in the Columbia and Walla Walla Counties, Washington. Filed 9:35 a. m.

Spokane Order 14-F, Amendment 30, covering fresh fruits and vegetables in the Benton and Franklin Counties, Washington Areas. Filed 9:35 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-16889; Filed, Sept. 10, 1945; 4:50 p. m.]

[Region I Order G-12 Under MPR 426]

FRUITS IN BOSTON, MASS.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by Article III, section 15, Appendix J (1) (3) and (1) (4) and Appendix K (r) (3) and (r) (4) of Maximum Price Regulation No. 426, it is hereby ordered:

(a) The maximum prices for sales of sweet cherries, apricots, plums, fresh Italian prunes and pears as established

by Article III, section 15, Appendix J of Maximum Price Regulation No. 426 are modified by increasing certain of the

maximum markups appearing in Table A of Appendix J so that they will read as follows:

Col. 1	Col. 2	Col. 3	Col. 11
Item No.	Commodity	Unit	Sales by a grower-distributor, buyer-distributor and by a grower or any person through a grower's sales agent. Through a commission merchant in less-than-carlots or less-than-trucklots. Ex-terminal sales platform.
1	Sweet cherries	(Items 1-14, table 1): Campbell lug 14½-15½ pounds..... Campbell lug 16-18 pounds..... Calex lug 16-21 pounds..... Fruit box 19½-20½ pounds..... Lug box 23-25 pounds..... Above containers with a net weight of less than or more than that specified for each container, and sweet cherries packed in all other containers, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	\$0.39. \$0.44. \$0.50. \$0.50. \$0.59. \$0.16 per container for all containers over 14 pounds plus 2 cents per pound. For all others 2½ cents per pound.
2	Apricots	Items 1-11, table 2: Northwest lug 13-15 pounds..... Brentwood lug 24-26 pounds..... Above containers with a net weight of less than or more than that specified for each container, and apricots packed in any other container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	\$0.18. \$0.32. 13½ cents.
3	Plums	Items 1-11, table 3: Standard 4-basket crate with a net weight of 23-33 pounds..... Standard 4-basket crate with a net weight of less than 23 pounds or more than 33 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	\$0.36. 13½ cents.
4	Fresh Italian prunes	All (items 1-10, table 4): ¼ bushel basket 28-32 pounds..... Standard prune box 15-17 pounds..... Above containers with net weight of less than or more than that specified for each container and fresh Italian prunes packed in all other containers and those sold loose and ungraded in any container, or in bulk—per pound.	\$0.32. \$0.17. \$0.11 per container for all containers over 20 lbs. plus 1¢ per pound. For all others 1½¢ per pound.
5	Pears	All States (all items, table 5), Standard Western pear box, one-way lug, two-standard ¼ pear boxes: 46-50 pounds, 11 California, and Josephine and Jackson counties, Oreg. 44-48 pounds, 11 all other areas. Washington pear lug, 19-21 pounds. Above containers with net weight of less than or more than that specified for each container, and pears packed in all other containers, and those sold loose and ungraded in any container, or in bulk (loose without container, or in containers furnished by the buyer)—per pound.	\$0.46. \$0.44. \$0.19. ½ cent

(b) The maximum prices for sales of sweet cherries, apricots, plums, fresh Italian prunes and pears as established by Article III, section 15, Appendix J of Maximum Price Regulation No. 426 are modified by increasing certain of the maximum markups appearing in Table B in Appendix J so that they will read as follows:

Col. 1	Col. 2	Col. 3	Col. 5
Item No.	Commodity	Unit	Sales by primary receivers in less-than-carlots or less-than-trucklots. Through an auction or terminal sales platform.
1	Sweet cherries	Items 1-14, table 1: Campbell lug 14½-15½ pounds..... Campbell lug 16-18 pounds..... Calex 19-21 pounds..... Fruit box 19½-20½ pounds..... Lug box 23-25 pounds..... Above containers with a net weight of less than or more than that specified for each container and sweet cherries packed in all other containers, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	\$0.41. \$0.46. \$0.52. \$0.52. \$0.61. \$0.18 per container for all containers over 14 pounds plus 2¢ per pound. For all others 2½¢ per pound.
2	Apricots	Items 1-11, table 2: Northwest lug 13-15 pounds..... Brentwood lug 24-26 pounds..... Above containers with a net weight of less than or more than that specified for each container, and apricots packed in any other container, and those sold ungraded (orchard run) in any container, or in bulk—per pound.	\$0.20. \$0.35. 13½ cents.
8	Plums	Items 1-11, table 3: Standard 4-basket crate with a net weight of 23-33 pounds..... Standard 4-basket crate with a net weight of less than 23 pounds or more than 33 pounds, and plums packed in any other container, and those sold ungraded in any container, or in bulk—per pound.	\$0.39. 13½ cents.

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 5 Sales by primary receivers in less-than-carlots or less-than-trucklots. Through an auction or terminal sales platform.
4.....	Fresh Italian prunes.....	All (Items 1-10, table 4) 1/4 bushel basket 28-32 lbs. Standard prune box 15-17 lbs. Above containers with net weight of less than or more than that specified for each container and fresh Italian prunes packed in all other containers, and those sold loose and ungraded in any container, or in bulk—per pound.	\$0.35. \$0.19. \$0.14 per container for all containers over 20 pounds plus 1/10¢ per pound. For all others 1 1/2¢ per pound.
5.....	Pears.....	All States (all items) Standard Western Pear Box, One way lug, Two Standard 1/4 Pear Boxes: 46-50 pounds, California, and Josephine and Jackson counties, Oregon. 44-48 pounds, all other areas. Washington Pear Lug—19-21 Pounds. Above containers with net weight of less than or more than that specified for each container, and pears packed in all other containers and those sold loose and ungraded in any container or in bulk (loose without container or in containers furnished by the buyer)—per pound.	\$0.51. \$0.49. \$0.21. 1 cent.

(c) The maximum prices for sales of table grapes and apples as established by Article III, section 15, Appendix K of Maximum Price Regulation No. 426 are modified by increasing certain of the maximum markups appearing in Table A of Appendix K so that they will read as follows:

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 11 Sales by any person (including grower - packers) through a grower's sales agent and sales by shipping point distributors. Through a commission merchant in less-than-carlots or less-than-trucklots. Ex-terminal sales platform.
2a.....	Table grapes.....	Grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California (Items 3-4, table 2): Lug box with a net weight of 24 pounds or more. Lug box with a net weight of less than 24 pounds and all other containers and bulk per pound. Grown elsewhere in California (Items 5-12, table 2): Lug box with a net weight of 28 pounds or more. Lug box with a net weight of less than 28 pounds and all other containers and bulk per pound.	\$0.35. 1 1/10 cents. \$0.25. 1/10 cent.
3.....	Apples.....	Standard boxes, bushels (Items 1-11) Standard barrels (Items 12-22) Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3)); apples packed in all other containers; and those sold loose and ungraded in any container, or in bulk—per pound.	\$0.28. \$0.88. 1/10 cent.

(d) The maximum prices for sales of table grapes and apples as established by Article III, section 15, Appendix K of Maximum Price Regulation No. 426 are modified by increasing certain of the maximum markups appearing in Table B of Appendix K so that they will read as follows:

Col. 1 Item No.	Col. 2 Commodity	Col. 3 Unit	Col. 5 Sales by primary receivers in less-than-carlots or less-than-trucklots. Through an auction or terminal sales platform.
2a.....	Table grapes.....	Grown in Arizona or in Riverside or Imperial County or the Borego Valley area of San Diego County in California (Items 3-4, table 2): Lug box with a net weight of 24 pounds or more. Lug box with a net weight of less than 24 pounds and all other containers and bulk, per pound. Grown elsewhere in California (Items 5-12, table 2): Lug box with a net weight of 28 pounds or more. Lug box with a net weight of less than 28 pounds and all other containers and bulk per pound.	\$0.38. 1 1/10 cents. \$0.28. 1/10 cent.
3.....	Apples.....	Standard boxes, bushels (Items 1-11) U. S. Standard barrel (Items 12-22) Above containers, the contents of which do not meet requirements of pack specified for standard containers (see paragraph (b) (3)); apples packed in all other containers; and those sold loose and ungraded in any container, or in bulk—per pound.	\$0.33. \$1.03. 1/10 cent.

(e) This order applies to sales or deliveries in the City of Boston, Commonwealth of Massachusetts.

(f) Lower prices than those established by this order may be charged. This order may be revoked, amended or corrected at any time.

This order shall become effective on August 11, 1945.

Issued this 6th day of August 1945.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 45-16801; Filed, Sept. 7, 1945;
4:39 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1020, 68-46]

WESTERN LIGHT & TELEPHONE CO. AND THE
KANSAS POWER CO.

SUPPLEMENTAL ORDER PERMITTING DECLARATIONS AND APPLICATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 6th day of September, A. D. 1945.

Western Light & Telephone Company (Western), a registered holding company, and The Kansas Power Company (Kansas), a subsidiary of Western, having filed joint declarations and applications to sections 6, 7, 9 (a), 10, 12 (c), 12 (e) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-50 and U-62 thereunder regarding, among other things, the merger of Western and Kansas and the issuance and sale by Western Light & Telephone Company, Inc. (Western, Inc.), the surviving company, at competitive bidding of \$6,200,000 principal amount of Series A First Mortgage Bonds due 30 years after the issuance thereof and the application of the net proceeds from the sale of said bonds to retire Western's First Mortgage and Collateral Bonds and Kansas' First Mortgage Bonds aggregating \$6,189,000 principal amount; and

The Commission having by order entered herein under date of June 29, 1945, permitted said amended declarations and applications to become effective and granted subject to a condition that the proposed issuance and sale of securities should not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in this proceeding and a further order entered in the light of the record so completed; and

Western, Inc., having filed a further amendment to the declarations and applications, setting forth the action taken to comply with the requirements of Rule U-50 and showing that, pursuant to the invitation for competitive bids, five bids on said bonds by five groups of underwriters, headed by the firms set forth below, were received:

Underwriting groups	Cou- pon rate	Price to com- pany ¹ (percent of prin- cipal amount)	An- nual cost to com- pany
	Percent		
Harris, Hall & Co.	3	101.10	2.945
Halsey, Stuart & Co., Inc.	3	100.18	2.991
Kidder, Peabody & Co.	3½	102.0699	3.019
Kuhn, Loeb & Co.	3½	101.91	3.027
Glore, Forgan & Co.	3½	101.87	3.029

¹ Plus accrued interest.

The said amendment having further stated that Western, Inc. has accepted the bid of the group headed by Harris, Hall & Company, as set out above, and that the bonds will be offered for sale to the public at a price of 101.95% of the principal amount thereof plus accrued interest from July 1, 1945, resulting in an underwriter's spread of 0.85% of the principal amount of said bonds; and

A further hearing having been held, and the Commission having examined the record in the light of said amendment, and finding no basis for imposing terms and conditions with respect to the price to be paid to the company for said bonds, the underwriter's spread and its allocation:

It is ordered, That, subject to the terms and conditions contained in Rule U-24, said declarations and applications, as amended, be and the same are hereby permitted to become effective and granted forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-16806; Filed, Sept. 10, 1945;
9:53 a. m.]

[File No. 70-1130]

ASSOCIATED ELECTRIC CO. AND MANILA
ELECTRIC CO.

ORDER PERMITTING DECLARATION TO
BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of September, A. D. 1945.

Associated Electric Company ("Aelec"), a registered holding company, and its subsidiary, Manila Electric Company, having filed a joint declaration pursuant to section 12 of the Public Utility Holding Company Act of 1935 and the general rules and regulations promulgated thereunder, regarding the following proposals: (1) The charge by Aelec and credit by Manila Electric Company of their respective non-interest-bearing open accounts with each other in the sum of \$339,768.06, representing the book cost to Aelec (or its predecessors) of \$383,000 principal amount of The Manila Electric Railroad and Lighting Corporation bonds due 1953 and \$17,000 principal amount of Manila Electric Company bonds due 1946, which Aelec on July 30, 1945, surrendered for cancellation to the trustee under the indentures securing such bonds; and (2) the payment to The New York Trust Company, as Trustee under the Indenture securing The Manila Suburban Railways Com-

pany bonds due 1946, of the sum of \$16,796.74 by Aelec for the account of Manila Electric Company for the purpose of retiring such bonds which are publicly held in the principal amount of \$21,000, and the charge by Aelec and credit by Manila Electric Company of their respective non-interest-bearing open accounts with each other in the sum of \$16,796.74 representing the amount so advanced; and

Said declaration having been filed on August 18, 1945, and having been amended, and notice of said filing having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The declarants having requested that the Commission advance the effective date of said declaration, and the Commission observing no basis for adverse findings under section 12 (b) or any other applicable section of the act or rules promulgated thereunder, and deeming it appropriate to grant the declarants' request for an acceleration:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the aforesaid declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-16807; Filed, Sept. 10, 1945;
9:53 a. m.]

[File No. 70-1131]

GENERAL GAS & ELECTRIC CORP.

MEMORANDUM OPINION AND ORDER PERMIT-
TING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of September A. D. 1945.

Declaration of dividends out of capital surplus. Declaration by registered holding company pursuant to section 12 (c) and Rule U-46 permitted to become effective with respect to the payment of dividends to prior preferred shareholders out of capital surplus where no prejudice to security holders or public is found.

General Gas & Electric Corporation (hereinafter called Gengas), a registered holding company, which is a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation (hereinafter called Trustees), a registered holding company, has filed a declaration pursuant to section 12 (c) of the public Utility Holding Company Act of 1935 (the act), in which it proposes to declare out of capital or unearned surplus a dividend for the quarterly period ending September 15, 1945, of \$1.25 per share, on its \$5 Prior Preferred Stock, no par value.

The entire issue outstanding is 60,000 shares, of which 27,889.1 shares are held

by the Trustees, who have, by a letter dated August 9, 1945, waived their right to collect such quarterly dividend, until further order of the Commission. The number of shares in the hands of the public is 32,110.9 (of which 8.9 shares are held in scrip, and such scrip will not receive a dividend), so that \$40,127.50 will be required to make the dividend payment.

After appropriate notice a public hearing was held. No one appeared at the hearing to oppose the proposed dividend payment. Having considered the record therein, the Commission makes the following findings:

As at June 30, 1945, the assets of Gengas, per books, totalled \$31,965,321. The only securities of, or claims against, Gengas which, according to its books, are senior to the \$5 Prior Preferred Stock, consist of certain obligations payable to the Trustees. These obligations, including interest thereon, aggregate \$3,501,733.

The books of Gengas, as at June 30, 1945, reflect an earned surplus deficit of \$2,794,684; the capital surplus is shown as \$12,621,385.

Net income of Gengas for the twelve months ended June 30, 1945, amounted to \$743,434. As at June 30, 1945, Gengas had cash on hand and in banks in the amount of \$152,927 and United States Treasury Certificates costing \$4,850,000.

A cash forecast for the five months ending December 31, 1945, submitted by the company in connection with the filing, indicates that Gengas will be able to meet all its cash requirements, including those under the recently approved plan of reorganization for the company,¹ continue to maintain an adequate cash balance, and pursue its present dividend policy. The forecast contemplates that at the end of the period the cash balance, assuming consummation of the plan of reorganization during the period, will aggregate \$756,156.78.

This is the fifteenth time that Gengas has filed a declaration to declare a dividend on its publicly held Prior Preferred Stock out of capital surplus. We have on each occasion considered that the assets of Gengas were substantial in relation to the size of the proposed dividend, and that the Prior Preferred Stock is, by its terms, entitled to be paid dividend arrearages in full before dividends can be paid on the other preferred stocks. These same factors are equally cogent with regard to the present declaration.

We make no adverse findings under the applicable sections of the act and rules promulgated thereunder.

It is therefore ordered, That, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935, the said declaration, as amended, be, and hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 of the general rules and regulations.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-16936; Filed, Sept. 11, 1945;
11:18 a. m.]

¹ — S. E. C. —, Holding Company Act Release No. 5950 (July 25, 1945).

[File Nos. 2-5754, 1-342]

RED BANK OIL CO.

ORDER CHANGING TIME OF HEARING AND DESIGNATING OFFICER TO TAKE EVIDENCE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 7th day of September, A. D. 1945.

The Commission, having heretofore, on August 28, 1945 ordered that a hearing under section 8 (d) of the Securities Act of 1933, as amended, be held in the Matter of Red Bank Oil Company on September 10, 1945, and having ordered on August 31, 1945 that a hearing under section 19 (a) (2) of the Securities Exchange Act of 1934, as amended, be held in said matter on September 10, 1945, and having further ordered on August 31, 1945 that said proceedings be consolidated; and

Counsel for the registrant, having requested a postponement of such hearing;

It is ordered, That such hearing be convened on Monday, October 1, 1945, at 10 o'clock in the forenoon, Eastern War Time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, and to continue thereafter at such time and place as the officer hereinafter designated may determine; and

It is further ordered, That Richard Townsend, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

Upon the completion of testimony in this matter, the officer is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-16937; Filed, Sept. 11, 1945;
11:19 a. m.]

SURPLUS PROPERTY BOARD.

[Special Order 20]

DONATION OF SMALL ITEMS OF CAPTURED ENEMY EQUIPMENT TO THE TREASURY DEPARTMENT AND ITS WAR FINANCE COMMITTEES

Pursuant to section 13 (b) of the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. App., Sup. 1661); *It is hereby ordered*, That:

1. The War Department is authorized to donate to the Treasury Department or the War Finance Committees of that Department small items of captured enemy equipment when the War Department finds that such items either have no commercial value or that the cost of their care, handling and disposition would exceed the estimated proceeds. Such findings shall be reduced to writing and have attached thereto any supporting data or information.

2. The War Department shall prepare and maintain such records as will show full compliance with the terms of this order and the applicable provisions of the act. Reports shall be prepared and filed with the Board in such manner as may be specified by the Board, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

This order shall become effective September 7, 1945.

SURPLUS PROPERTY BOARD,
By W. STUART SYMINGTON,
Chairman.

SEPTEMBER 7, 1945.

[F. R. Doc. 45-16941; Filed, Sept. 11, 1945;
11:35 a. m.]

UNITED STATES COAST GUARD.

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4418, 4426, and 4491, as amended, 49 Stat. 1544 (46 U.S.C. 375, 391a, 392, 404, 489, 367), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following approval of equipment is prescribed:

TELEPHONE SYSTEMS

Sound powered telephone, Type A, Model W, splashproof, Dwg. No. 1, Alt. 2; Sound powered telephone, Type A, Model E, splashproof, Dwg. No. 3, Alt. 2; Sound powered telephone, Type A, Model E, splashproof, Dwg. No. 4, Alt. 2; Sound powered telephone, Type A, Model W. T., watertight, bulkhead mounted, with external 3" Bell, Dwg. No. 5, Alt. 2; Sound powered telephone, Type A, Model W. T., watertight, bulkhead mounted, with external 6" Bell, Dwg. No. 6, Alt. 2; Sound powered telephone, Type A, Model W. T. P., watertight, pedestal mounting, with external 6", 8", or 10" Bell, Dwg. No. 8, Alt. 2; Sound powered telephone, Type A, Model W. T.-1, watertight, bulkhead mounted, with external 6" Bell, Dwg. No. 11, Alt. 2; submitted by Hose-McCann Telephone Co., Inc., 172 Pacific Street, Brooklyn, New York. (Supersedes approvals of 8 August, 1944, 9 F.R. 9622, and 9 January, 1945, 10 F.R. 409. Any equipment manufactured under the prior approvals may remain in use until replacements are necessary.)

Dated: September 10, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-16942; Filed, Sept. 11, 1945;
10:50 a. m.]

WAR PRODUCTION BOARD.

[Certificate 57, Revocation]

COORDINATED OPERATION OF CERTAIN TAXICAB OPERATORS IN CHICAGO, ILL.

THE ATTORNEY GENERAL:

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated April 26, 1943, concerning Special Order ODT TC-1 issued by the

Director of the Office of Defense Transportation.

Dated: September 1, 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-16837; Filed, Sept. 10, 1945;
11:37 a. m.]

[C-274, Revocation]

FRED J. SATTERLEE AND JOHN WEIMER

CONSENT ORDER

Pursuant to an agreement between the above-named parties, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-274, was issued March 7, 1945, in consequence of a violation of Conservation Order L-41.

The parties to the agreement having now agreed that such order should be revoked, *It is hereby ordered*, That:

Consent Order No. C-274 be revoked.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16882; Filed, Sept. 10, 1945;
4:41 p. m.]

[C-325, Revocation]

LAWRENCE POWERS

CONSENT ORDER

Pursuant to an agreement between Lawrence Powers, the Regional Compliance Manager and the Regional Attorney, Consent Order C-325 was issued April 30, 1945, in consequence of a violation of Conservation Order L-41.

The parties to the agreement having now agreed that such order should be revoked, *It is hereby ordered*, That:

Consent Order No. C-325 be revoked.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16883; Filed, Sept. 10, 1945;
4:41 p. m.]

[C-329, Revocation]

FRED WILLERTZ

CONSENT ORDER

Pursuant to an agreement between Fred Willertz, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-329 was issued May 4, 1945, in consequence of a violation of Conservation Order L-41.

The parties to the agreement having now agreed that such order should be revoked, *It is hereby ordered*, That:

Consent Order No. 329 be revoked.

Issued this 10th day of September 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-16884; Filed, Sept. 10, 1945;
4:41 p. m.]

[Certificate 15, Revocation]

PLASTIC MATERIALS

REQUEST TO MANUFACTURERS TO EXCHANGE
TECHNICAL INFORMATION

The ATTORNEY GENERAL.

Pursuant to section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I hereby withdraw the certificate and finding dated September 25, 1942, concerning request to all manufacturers of plastic materials to collaborate in the exchange of technical information respecting the physical properties of plastics materials and the methods for testing those materials and in the further improvement and development of those materials and testing methods, upon the express condition and understanding that the information resulting from such

collaboration will be available to all such manufacturers and the armed forces.

Dated: September 1, 1945.

J. A. KRUG,
Chairman.[F. R. Doc. 45-16902; Filed, Sept. 11, 1945;
9:54 a. m.]

[C-251, Revocation]

BROWN AND BIGELOW

CONSENT ORDER

Brown and Bigelow, 1286 University Avenue, St. Paul, Minnesota, engaged in the production and manufacture of remembrance advertising, greeting cards, novelties and similar items, was charged with having violated War Production

Board Orders L-241 and L-289. A consent order No. C-251 was entered into by Brown and Bigelow, the Regional Manager, Compliance, and the Regional Attorney, with the approval of the Regional Compliance Commissioner. In view of the fact that Limitation Orders L-241 and L-289 were revoked on August 24, 1945, the Chief Compliance Commissioner has directed that the consent order be revoked.

In view of the foregoing: *It is hereby ordered*, That: Consent Order No. C-251 be revoked.

Issued this 10th day of September, 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.[F. R. Doc. 45-16881; Filed, Sept. 10, 1945;
4:41 p. m.]